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NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, FIRST SESSION, 104TH CONGRESS

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Nominations Before the Senate Armed... THE

COMMITTEE ON ARMED SERVICES UNITED STATES SENATE ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

NOMINATIONS OF

ELEANOR J. HILL; REBECCA G. COX; GEN. JAMES B. DAVIS, USAF; REAR
ADM. BENJAMIN F. MONTOYA, USN; S. LEE KLING; ALTON W.
CORNELLA; WENDI LOUISE STEELE; SHEILA CHESTON; MAJ. GEN.
JOSUE ROBLES, JR., USA; GEN. DENNIS J. REIMER, USA; LT. GEN.
CHARLES C. KRULAK, USMC; DR. JOHN P. WHITE; LT. GEN. RICHARD
E. HAWLEY, USAF; GEN. JOHN M. SHALIKASHVILI, USA; JOHN T.
CONWAY; JOHN W. DOUGLASS; ARTHUR L. MONEY; H. MARTIN LAN-
CASTER

JANUARY 31; FEBRUARY 2, 15, 28; MAY 2; JUNE 13, 29; SEPTEMBER 21,
29; NOVEMBER 14, 28; DECEMBER 13, 1995

Printed for the use of the Committee on Armed Services



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ARMED SERVICES COMMITTEE,
FIRST SESSION, 104TH CONGRESS**

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UNITED STATES SENATE

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NOMINATION OF ELEANOR J. HILL TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE

TUESDAY, JANUARY 31, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 11:10 a.m. in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Nunn, Exon, Levin, and Glenn.

Other Senators present: Senator William V. Roth, Jr.

Committee staff members present: Richard L. Reynard, staff director; Donald A. Deline, general counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Romie L. Brownlee.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; and Julie K. Rief, professional staff member.

Staff assistants present: Menge Crawford, Kathleen M. Paralusz, and Deasy Wagner.

Committee members' assistants present: Robert J. "Duke" Short, assistant to Senator Thurmond; Glen E. Tait, assistant to Senator Kempthorne; Patty Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Suzanne M. McKenna, assistant to Senator Glenn; and Suzanne Dabkowski, assistant to Senator Robb.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

Ms. Hill, we welcome you to the Senate Armed Services Committee. We delayed your confirmation for a few minutes today in order to accommodate a hearing that was going on prior to this one, and we are now glad to come back. I want to say that as soon as we finish this hearing we will go back and continue the intelligence hearing, which is classified.

I just want to ask you four questions to begin with: what positions in the Department of Defense have you occupied prior to confirmation?

Ms. HILL. None, Senator.

Chairman THURMOND. Have you adhered to the applicable laws and regulations governing conflicts of interest?

Ms. HILL. Yes.

Chairman THURMOND. Have you made any authoritative decisions or provided authoritative guidance?

Ms. HILL. No I have not made any authoritative decisions or provided authoritative guidance in matters within the authority of the Office of the Inspector General of the Department of Defense.

Chairman THURMOND. Have you assumed any duties or undertaken any actions that would have appeared to presume the outcome of the confirmation process?

Ms. HILL. No.

Chairman THURMOND. I will ask that my entire statement be placed in the record. That will save time.

[The prepared statement of Chairman Thurmond follows:]

PREPARED STATEMENT OF SENATOR STROM THURMOND

Good morning Ms. Hill and welcome to the Senate Armed Services Committee. We delayed your confirmation for a few minutes today on order to accommodate Senator Nunn who was due to land at National Air Port at 9:30 and should be here at any minute.

Senator Roth had also wanted to join us for this hearing but is testifying on the House side of the Hill. He may still arrive but i have agreed to place his statement in the record in case he is unavoidably detained.

Ms. Hill, I understand your husband Tom Gross is in the Ukraine and is unable to be here today. I also understand your 2-year-old son Brian could have been here today but you decided not to bring him, and I believe I am quoting you correctly, "for the sake of good order and calmness".

I can see from your record that you have had an exceptional career. I note that you have had over 5 years experience at a local level, with the U.S. Attorney General's office where you prosecuted Federal criminal cases, conducted Federal grand jury investigations, and even testified before the U.S. Senate Permanent Subcommittee on Investigations concerning an extremely large racketeering case. You must have done a good job testifying because shortly after that you became an Assistant Counsel for that subcommittee and you have remained there from 1978 until today.

While a staff member with the Investigations Subcommittee, you had a number of key positions. I note that you have been an Assistant Counsel, the Minority Chief Counsel, the Chief Counsel and the Staff Director. In all, you have spent 16 years serving that organization with distinction and it is my opinion that such service has prepared you for your new position.

The Inspector General position with the Department of Defense is very important to this committee. We look on the Inspector General as the "honest broker". We will rely heavily on your opinions and the quality of your reports and I believe you will do an excellent job.

Chairman THURMOND. First, I want to call on Senator Nunn, who will introduce you to the committee.

Senator NUNN. Thank you very much, Mr. Chairman. I am very proud to have the chance to introduce Eleanor Hill to this committee, but it is a bittersweet day for me because she is leaving one of the most important positions, I think, in the Senate in terms of staff positions, as Chief Counsel and Staff Director of the subcommittee which I have chaired for a number of years, the Permanent Subcommittee on Investigations, PSI, of the Government Affairs Committee.

Senator Glenn, Senator Levin, and Senator Cohen, and others have worked with Eleanor, as I have, for a long time. She has been absolutely terrific. She is being nominated here for the Inspector General of the Department of Defense, and that is a very important

position. So, as reluctant as I am to lose her in the position she has held and continues to hold as of this time, I certainly understand, and certainly agree with the Department of Defense's recommendation of her to the President and the President's recommendation to this committee.

The broad authority of the Inspector General to investigate fraud, waste, and abuse makes this one of the most important and sensitive positions in the Department of Defense. The Inspector General can have an enormous impact on the fate of defense programs and on the careers of individuals. The Committee on Armed Services expects the work of the Inspector General to be thorough, professional, and objective.

Eleanor Hill will bring outstanding credentials to the position of Inspector General. Before she came to the Senate, she served in the U.S. Attorney's Office in Tampa, FL, and as a special attorney with the organized crime section in Tampa. There, she earned a reputation as an outstanding trial attorney and a very thorough, capable, firm, and tough prosecutor.

Since 1980, she has been with the Permanent Subcommittee on Investigations first as Minority Counsel, then as Staff Director and Chief Counsel after 1986.

During her tenure, the subcommittee conducted in-depth investigations of a wide variety of topics, including the topics, Mr. Chairman, we have just been in closed hearings on, and that is the nuclear proliferation problem. Eleanor conducted for me last year very thorough hearings on the problem of the breakup of the Soviet Union, and the aftermath with the challenges we face with Russia and proliferation of weapons of mass destruction. We had both Russian testimony from their top police officials, and we also had German testimony.

There are all sorts of investigations we have had under her guidance on domestic and international organized crime, labor racketeering, drug enforcement programs, money laundering, the Federal security clearance program, fraud and abuse in the student aid programs, fraud and abuse in the insurance industry. And, most recently, review of the management of the Blue Cross and Blue Shield health care system throughout the country.

Eleanor has brought to each of these matters the highest degree of professionalism, the highest degree of objectivity, and most important, the highest degree of integrity, honor, and honesty. She is well prepared, she is thorough, she is tenacious, and she is totally trustworthy. She has a solid understanding of the organization of Government, the role of investigative organizations, and improving the functions of Government.

So, Mr. Chairman and members of the committee, I am confident that Eleanor Hill will be an outstanding Inspector General of the Department of Defense if she is approved by this committee and by the Senate, and I am pleased to introduce her to the members of the committee today.

Chairman THURMOND. Ms. Hill has been endorsed by Senator William Roth, Jr., the senior Senator from Delaware, and I will ask unanimous consent that his statement be placed in the record.

[The prepared statement of Senator Roth follows:]

PREPARED STATEMENT OF SENATOR WILLIAM V. ROTH

Thank you, Mr. Chairman. I appreciate the opportunity to appear before your committee to endorse the nomination of Eleanor Hill to serve as Inspector General at the Department of Defense.

I have long believed the axiom that talent is formed in stillness, character in the world's torrent. And I believe Ms. Hill's career and example show us just how true this is. She is a woman of immeasurable ability, well trained—prepared not only to accomplish the many things she did as Chief Counsel of the Permanent Subcommittee on Investigations—but to assume this new responsibility as Inspector General at the Department of Defense.

As a staff member of the Permanent Subcommittee on Investigations, Eleanor served with distinction for over 14 years—often in the torrent of critical investigations, long hours, and sensitive issues—conditions that, indeed, demanded the highest demonstration of good character and sound judgment. And, in all things, she has proved herself equal to the demands.

Eleanor has always acted in a professional, bipartisan manner.

In the time I have known her, I have recognized a talent that she has to get to the heart of an issue, locating the necessary evidence and organizing it into a coherent analysis. Clearly, these skills—these talents—will serve her well in her new position at the Department of Defense.

As you know, Senator Nunn and I have switched positions as chairman and ranking member of PSI several times over the past 15 years. What I found most impressive, was that no matter who was chairman, Eleanor served with equal diligence and dedication as we endeavored to see that the subcommittee fulfilled its important function—to alert the Senate and the American people to new developments in the areas of criminal conduct, fraud, and abuse. This mission, I believe, we were able to accomplish in bipartisan fashion, due in large part to the professional standards of staff members like Ms. Hill.

I heartily endorse her nomination. Eleanor has been of immense help to ensure that PSI fulfilled its proper role, and I commend her to you.

Chairman THURMOND. Senator Glenn, I understand you want to make a statement.

Senator GLENN. I do indeed.

Chairman THURMOND. But first, the Senator from Nebraska, would you care to make a statement?

Senator EXON. I was going to make a statement, but after the statement made by Senator Nunn and the statement to follow from my distinguished colleague from Ohio, I yield. I do not know this fine professional as they do, but I think with what is going on here I just better pass to Senator Glenn.

Senator GLENN. Thank you, Mr. Chairman, and thank you, Senator Exon.

Ms. Hill, as you are well aware, you have a lot of overlap in responsibility with this committee, with the Pentagon, with the Governmental Affairs Committee. We have done a lot of work that you are thoroughly familiar with through the years on that, so I am pleased to be here this morning for your confirmation hearing to be Inspector General of the Department of Defense, and I do not exaggerate one bit when I say that I think this is one of the most important positions in Government.

I am not trying to blow a lot of smoke at you, but I really do believe that, because what you are going to be doing is running the investigations on the biggest expenditures in Government in the Department of Defense, so I really do believe it is one of the most important positions if we are to get efficiency and get the problems that have been exhibited for a long time over at the Department of Defense, get those under control.

Let me say this: I think you are in an ideal position to have a major impact, because we have the complete dedication of the Sec-

retary of Defense and the Deputy Secretary of Defense to getting this thing under control, so I think you are going into a unique situation.

The Inspector General Act—a lot of people do not realize this, but the Inspector General Act and the CFO Act are unique in that they require reporting in two directions, not only uphill to the department head, but you are just as bound by law to report to the cognizant committees of the Congress, this committee, Governmental Affairs, and the others looking into these matters.

That is a unique relationship, and that was written very specifically into that law to give the IG independence, independence to do what he or she thinks is in the best interest of getting the problem solved, whatever it is. I would just recount that for the record, because I know that you are already aware of that.

You are going to have a lot of problems on your plate, and I look forward to addressing some of these after you get over there. I want to list these very briefly, it will not take very long, because I think they are important.

The DBOF, Defense Business Operations Fund, that is an \$88 billion revolving fund. It is in poor shape mainly because it inherited problems from the services stock and industrial funds from which it was created. Last year, in the very first ever financial audit, that came because the CFO Act required an audit, the first-ever financial audit, conditions were so bad that the acting IG, Derek Vander Schaaf, said he was unable to express an opinion, and they estimate it will be a number of years before they really will be able to express an opinion on the auditability of those accounts. That is a sad state of affairs, so there is a lot of work to be done over there.

Also, the issue of transferring funds from DBOF has been rather contentious and has come up on the Senate floor, which has highlighted the fund's liquidity problem.

Another area of concern is contractor overpayments. We are working with GAO on a followup report stemming from a DOD financial management hearing that I chaired last July up at Governmental Affairs. The problem here is hundreds of millions of dollars, \$500 million or \$700 million which erroneously had gone to DOD contractors through overpayments, duplicate payments, and in some cases mistaken payments for work in progress.

This was brought to light because some of the contractors had received somewhere around \$700 million and they said, we never sent you a bill, and we are returning the money. Well, then they looked into it and found out it went somewhere between \$1 billion and \$1.4 billion of erroneous payments to contractors, and about half of that, the contractors just voluntarily returned it because they had not sent any bill.

Now, this is not small change when we get into that kind of money, obviously, and some of these overpayments have been outstanding for nearly 5 years, so that is an area.

Another is the Army payroll. At our GAC hearing last July, GAO revealed that about \$7 million had been overpaid to 2,500 soldiers as a result of a 1-month comparison of personnel and pay records. I am told 1,000 more cases remain unresolved. We have not done

a good job in handling debt collection cases, and only \$600,000 of that \$7 million has been collected as of that date.

Next is unmatched disbursements. GAO testified before Governmental Affairs that the Navy had \$14 billion in unmatched disbursements where payments and invoices could not be reconciled. Estimates for the whole Pentagon come up to about \$43 billion that they cannot match up properly, so they have created a task force to look into that.

Another one is internal control. It has been a major problem for far too long. Inattention to guidance, poor systems, other controls continue to leave the services vulnerable to fraud, waste, abuse, without mechanisms to detect it, an Air Force accountant, for instance, who stole more than \$3 million in 3 years until he was turned in by the Drug Enforcement Administration.

These are just a few of the main issues that cannot wait. We have been involved with a number of these.

We would like to get to you a summary of our committee activity on Governmental Affairs. I see our chairman, Bill Ross, behind you there now. I am sure he would agree that we could go back through our records and summarize some of these things, bring them to your attention over there, so that you are fully aware of everything we have done that bears on this, and I think it is a good record that we have had on the committee, and I am sure it will be a good guidance for you in some of the areas we have found that it would be most important also.

Of lesser importance—not lesser importance, but other issues that I will not bring up details on these this morning are the M accounts, the CIM, as it is called, corporate information management initiative, accounts receivable financial managements audits, resources, personnel, repeated violations by the Air Force of the Antideficiency Act, so trying to get a handle on all of these things requires diligence, persistence, and the ability to stay awake for a lot of the briefings, which I venture to say are about as exciting as watching mud dry a lot of times, but they are so, so important if we are going to get control of this important area.

These are not the big, glamorous things sometimes. They are the nuts and bolts of what we have called on the other committee the grunt work of Government, trying to bring efficiency and get things under control so that we know what is going on.

So you are preeminently qualified to do this job over there, and I look forward to working with you, Eleanor, as you take on your job as the new DOD/IG. It is the biggest IG job in Government, by far. You have a large staff over there. You have the personal qualifications, determination, skills, to help us all work together to tackle these tough issues.

It is far more than a one-person task. We worked well with Derek VanderSchaaf, who filled in in a most competent, professional manner over there. I think he has been acting for something like 4 years, or close to it. We are cooperating very closely.

I am working with John Hamre on almost a daily basis, who you know used to be on this committee. He is now the DOD comptroller. He has been instrumental in helping us look into and identify many of these things, and he has a very active program to work

on some of these problems, so I know you will be a big help in working with John over there also.

So I look forward to your speedy confirmation. I know your tenure as staff director of the PSI subcommittee has prepared you well, and we wish you well, and I am glad to support your nomination.

Thank you, Mr. Chairman.

Senator NUNN. Mr. Chairman, I would like to see Senator Glenn go into more detail about the challenge of the job. Perhaps Eleanor would change her mind and then stay with us. [Laughter.]

Chairman THURMOND. Senator Roth, we did not know whether you were coming. I have already placed your statement in the record. Would you care to add anything to that?

STATEMENT OF HON. WILLIAM D. ROTH, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

Senator ROTH. Thank you, Mr. Chairman. I appreciate your already introducing my prepared comments on Eleanor Hill. I would just like to personally endorse her.

I have had the pleasure of working with her over the many years. I have always found her extraordinarily able, dedicated to her job, very professional in her conduct, and I might say, Mr. Chairman, I take very seriously the task of the Inspector General for the Armed Services.

As I think you all recall, Sam and John, way back there was not much excitement about creating an independent IG. As one who played a role in that development, I think the most important thing is the individual who fills the job. For that reason, I am delighted to come here and endorse Eleanor Hill. I know she will do an outstanding job for us.

Thank you, Mr. Chairman.

Chairman THURMOND. Thank you very much.

Senator NUNN. Thank you, Senator Roth.

Chairman THURMOND. Ms. Hill, would you care to make any brief opening remarks?

STATEMENT OF ELEANOR HILL, NOMINEE FOR INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

Ms. HILL. Yes, Mr. Chairman, I have a brief opening statement.

Mr. Chairman and members of the committee, I am especially pleased and deeply honored to be able to appear before you this morning as the President's nominee for the position of Inspector General for the Department of Defense.

Having worked in this building for many years, I have great respect and great affection for the Senate, which, though in a vastly different role here, I carry with me this morning.

I want especially to thank Senator Nunn, Senator Roth, and also Senator Glenn for their support and kind words this morning. I know that Senator Roth went out of his way to get here this morning, something which he clearly did not have to do, nor was he necessarily expected to do. I just want to thank him for that and for his support over the years, which I might add has always been in the best sense of the spirit of bipartisanship.

I think it goes without saying, having worked directly for Senator Nunn for many years, that his very kind words here this morning mean a great deal to me. He has been what I consider to be the ideal teacher for me in terms of integrity, good judgment, reason, and decency. It has been an absolute honor and privilege to work for him these many years, and what is more, I have truly enjoyed every minute of it.

As you know, throughout my professional career, I have been involved in the conduct of investigations, first as a prosecutor and later with the Senate's Permanent Subcommittee on Investigations. That experience has shown me time and again that those who investigate exercise great power, but along with that power, and clearly because of it, also they bear heavy responsibility.

I think that my experience as a prosecutor and with the Senate Subcommittee on Investigations has taught me the importance of accuracy, integrity, and fairness in investigations, and I think that that experience and those lessons will be extremely invaluable to me should I be confirmed as the next Inspector General for the Department of Defense.

Clearly, these are changing and challenging times for the Department of Defense. As the Department strives to address a host of new and still-evolving issues, the Inspector General in my view can and should play an especially important role as a source of consistently impartial oversight and well reasoned advice for both the Secretary of Defense and the Congress.

If confirmed, I will do my best, with the help of the very able staff of the Office of Inspector General, to meet those very high standards and to earn the trust that the President has placed in me by this nomination.

Again, I appreciate your invitation to appear before you this morning. I will be happy to answer any questions that you may have.

Thank you, Mr. Chairman.

Chairman THURMOND. We will have 5-minute rounds, and I ask the clerk to keep the record.

Ms. Hill, what part of your current responsibilities do you feel has best prepared you to be the Inspector General of the Department of Defense?

Ms. HILL. Mr. Chairman, I think clearly my strength in terms of my background for that position is in the field of investigations. I have done, over the years, many criminal investigations as a Federal prosecutor, and I have also supervised and directed many congressional investigations with the Senate Subcommittee on Investigations.

I also have some exposure to accounting and financial issues, because particularly with the subcommittee we have looked at a variety of oversight issues where we have worked with accountants and financial analysts and also management analysts. All of this will help me to a large degree, if I am confirmed as the Inspector General.

Chairman THURMOND. Ms. Hill, explain what you think is the appropriate relationship between the Senate Armed Services Committee and the Department of Defense Inspector General.

Ms. HILL. Well, Mr. Chairman, as Senator Glenn mentioned, the Inspector General has a unique role, in the sense that the Inspector General works with and reports to the Secretary of Defense but also to the Congress, particularly to the Senate Armed Services Committee.

So in my view I believe the Inspector General should be an honest broker of sorts who can give both the committee and the Secretary the best advice, the most impartial advice and the best assessment of what is wrong with the Department, what is right with it, and what needs to be fixed. So I would envision a very close working relationship with the committee and a free flow of information and advice where called for.

Chairman THURMOND. Ms. Hill, the committee is receiving a growing number of complaints from offices concerned about the officer promotion process. A common theme which runs through the complaints is a lack of confidence that the boards for the correction of military records are independent review agencies. What is your understanding of the formal and informal relationship between the Inspector General and the boards for the correction of military records?

Ms. HILL. Well, under the Inspector General's broad authority for oversight and review of problems and issues within the Department, I would think that the Inspector General would have the ability to monitor and look into complaints or problems with the board. If there are such problems, that would be certainly something that could be looked at by the Office of the Inspector General.

Chairman THURMOND. Ms. Hill, the Department of Defense Inspector General's Office currently receives its legal advice from the General Counsel's Office under a memorandum of understanding between these two offices. Do you feel this is an appropriate arrangement?

Ms. HILL. Mr. Chairman, I have been briefed on that memorandum of understanding. I have also talked, obviously, to the people at the Inspector General's Office, to the assistant General Counsel, who serves as the head lawyer for the Inspector General, and also to at least two former Inspectors General from the Department.

All of the views I have received to date—and again, I caveat this with the fact that I have not yet had the first-hand opportunity to work with the Office of the assistant General Counsel—but the people I have spoken to so far have advised me that that relationship has worked very well.

They are of the view that although the counsel that are assigned to the Inspector General's Office remain under the General Counsel's Office, their independence is guaranteed by the MOU. The Inspector General's Office feels very strongly that it has given them the ability to have independent counsel but also counsel who, if need be, can call on the expertise of the full Office of the General Counsel for the Department of Defense.

So all the information I have to date, which granted is not my personal information because I have not had the opportunity to go over and work with them yet, has been very positive, in that that relationship is working very well.

Chairman THURMOND. Ms. Hill, when we talked last Thursday, you mentioned that you thought that the advisory board's report on

DOD investigative capability was having an impact on the defense investigations. Would you mind sharing one area in which you think the report might impact on the Department of Defense Inspector General's Office?

Ms. HILL. Mr. Chairman, that report obviously, because it is intended to be a comprehensive review of the entire investigative capability of the Department, will have an impact in many areas that the IG operates in.

One particular one that I can think of very obviously is the issue of consolidation of procurement fraud investigations. The board's report recommends that be done and that responsibility be consolidated within the Department of Defense Inspector General's Office.

I know that is a very contentious issue. I have not decided as to how I would come down on it, because I have not had the opportunity to be over there and examine, in fact, what the issues are from a first-hand viewpoint. Obviously that is going to have a major impact not only on the Department of Defense IG but also on the military criminal investigative organizations who currently share jurisdiction for procurement fraud with the IGs office.

Chairman THURMOND. My time has expired. Senator Nunn.

Senator NUNN. I will be very brief, Mr. Chairman.

Let me just ask you, Eleanor, what are your top priorities as you view the job now? If you had to list two or three things that were right at the top of your list, what would they be?

Ms. HILL. Again, I obviously caveat this with the fact that I have not had first-hand experience in the job, but I think certainly that one area of immediate concern is going to be addressing all the issues that are in that report of the advisory board.

The report cuts across the board and talks about issues including training, consolidation, quality of investigations, a whole host of things that are critical to good investigative quality at the Department. I think that will have to be addressed immediately to determine if those recommendations are well grounded and what the response of the IGs office and the Department should be. That is a specific area, obviously.

I think overall, Senator, and my opening remarks reflect this, that I would find it a continual priority over there to do the best I could to ensure that the quality, accuracy, and fairness in all the investigations in the IG office meet the very highest standards, and were professional investigations respected in professional circles, and were not subject to any kind of bias or sloppiness in reporting, that kind of thing.

Senator NUNN. What will be the relationship, or what is the relationship between the DOD/IG and the IG of the various services?

Ms. HILL. The IGs of the various services relate to the Inspector General's Office. They have a close working relationship, as I understand it. The Inspectors General obviously has oversight responsibility over many of their activities. In the sense that they get involved in investigations they would be subject to the policy authority of the IGs office.

My understanding is they work closely with them. There is a lot of interplay throughout, but they obviously are separate entities. The Inspectors General of the military really acts as the eyes and ears of the commander, the local commander as I understand it,

whereas the Department's Inspector General has more of a broader, systemic overview of what is happening in the Department.

Senator NUNN. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman. I have had the opportunity to work with Mrs. Hill for many years. Yesterday she very courteously came by and we had a lengthy discussion. Ms. Hill, in my judgment, you are eminently qualified for this position and are a respected American citizen, and we thank you for taking on this responsibility.

Ms. HILL. Thank you, sir.

Senator WARNER. I know your concern about leaving the Senate, an institution which you have served admirably and very well for many years. Could you tell me about your deputy? My understanding is the former acting will remain on as deputy, is that correct?

Ms. HILL. Mr. VanderSchaaf, Derek VanderSchaaf has been the Deputy Inspector General for sometime, and he effectively has run the organization for the last, I believe, 3 years. He is a wealth of information and institutional memory about the organization. I have met with him. We have had very good discussions. I think he will be excellent to work with, and I look forward to working with him. I think he has done a fine job, in a very difficult task, I might add, as Acting Inspector General. He has run the organization and done it very efficiently.

Senator WARNER. Well, I share those views, based on the work I see coming out of the Department, and I would express again my appreciation with Mr. VanderSchaaf for remaining in this position as your deputy. I think he will be a valuable adjunct not only to you but to the Secretary.

Thank you very much, and good luck.

Ms. HILL. Thank you, Senator.

Chairman THURMOND. Senator Exon.

Senator EXON. Mr. Chairman, thank you very much. I do not have a question. I just want to leave a thought with you, Ms. Hill.

Senator NUNN. Remember I told you he did not like lawyers. Now, keep that in mind.

Senator EXON. That is why I am not asking questions. [Laughter.]

One of the problems that I think it is clear we have had with regard to the military in general is the fact that the press does dwell, rightly or wrongly, on some of the waste, fraud, and abuse categories that come up.

I do not know that the military has had more waste, fraud, and abuse than other agencies of the Federal Government, but it just so happens that the military happens to play in a field where lots of money is paid out to contractors, and you know, the whole matter of overpriced toilet seats, hammers, and those kinds of things, although they are a very minuscule part of the whole defense budget, it was played all out of proportion in the press.

I hope, as Inspector General, you continue to take a very close look at that and do what Senator Glenn and Senator Nunn and others have suggested, which is work with Mr. Hamre and others to make sure that, with all of the problems we have in the Defense

Department today, and the funding of same, that we get a proper dollar back for every dollar spent.

More importantly, I would suggest, that we should be taking a closer look, if we can, and maybe a higher regard for focusing in on one of the big problems that we have in the Defense Department. The problems are well known: the cost overruns, the contracts that are changed back and forth, the continual fact seemingly that we start out with one price tag on a specific program and it always ends up being more and seldom, if ever, less.

I guess honesty in budgeting is what I am talking about, and I do hope that as Inspector General you will give a clear signal that you will be taking a little closer look than we have in the past at all of these cost overruns. The Defense Department needs to do a better job properly identifying what its requirements are.

But also many of us on the committee feel that in some cases at least the Pentagon has leaned over backwards in awarding more money than necessary for some of the shortcomings that to a large extent were the responsibilities and the failure of the contractors, rather than the authorizing agency.

These are just some of the concerns that I hear about in Nebraska. My constituency is strong pro-defense, but they do not want a single hammer to be bought for more than it costs at a retail store. The perception of how the Pentagon spends its money is what I am talking about, and with the challenge that we have here and that you are going to have over there with getting a dollar's worth of value for every dollar we put into defense programs in the future, I think we have to take a very close look at this.

I would just hope that as Inspector General, under your talented leadership, maybe you can send a strong message that we expect a little better accounting than we generally have had in the past.

Mr. Chairman, I have no further questions. I enthusiastically support Ms. Hill's nomination.

Ms. HILL. Thank you, Senator.

Chairman THURMOND. Senator Glenn.

Senator GLENN. Thank you, Mr. Chairman. You addressed one of my questions a moment ago on this advisory board on the investigative capability of the Department of Defense, which suggested that there should be a consolidation of major procurement investigations and a defense fraud investigative service, and as I understand their recommendation, it will be just dealing with fraud and make a professional group that would deal with fraud, is that correct? Is that your understanding?

Ms. HILL. Senator, as I understand it, they would take all of the procurement fraud investigations that currently are shared between the IGs office and the military criminal investigative organizations and put them within the Defense Criminal Investigative Service, which is under the IG.

Senator GLENN. And also the major procurement fraud resources of each military service's respective criminal investigation unit be transferred to this new unit. I do not know what I think of that, really.

To say that the people involved at the working level cannot get into a fraud case, even if they find it and they have the staff there to do it, it has to be kicked upstairs to somebody at DOD level,

even though it may be a command out some place, I think that is a mighty big step, and I do not know what I think of it.

Maybe there was good reason for why they wanted to do this. I agree with the professionalism approach. They want to make a fraud group that is not transferable because of military duties and things like that, so maybe that is good, but I would be concerned about that and how it would be implemented.

Another DOD report from the acquisition oversight and review process action team recommends that the DOD/IG be limited to two audits per year for each program except in cases of fraud, waste, and abuse. Now, I have not looked into that or talked to any members of that group, but what is the rationale for that? Have you been into that?

Ms. HILL. Senator, I am not familiar with that recommendation. I would certainly want to look at that closely and see what prompted that.

My guess is maybe there is some thought that there are too many audits going on, or duplication, but I am not familiar with all of the details.

Senator GLENN. My understanding is that some of the businesses have been objecting that there were too many audits, and things like that, but if they need auditing, they need it, and I would not care if it is 2 or 20. If there are marginal operators out there and you keep getting information, if you have 20 audits per year of that particular group—

Ms. HILL. I think there have been some initiatives by the IG to ease the burden of audits on the contractors, so that is something I would want to look at pretty closely before I agreed with it.

Senator GLENN. Okay. Another one. Some members thought, and this was over on this side of the river, thought that in the wake of the NRO office scandal that there be statutory IGs established at both the Defense Intelligence Agency, DIA, and the National Security Agency, but currently your office is responsible for overall management and duties for these entities. Have you looked into that?

Ms. HILL. I am vaguely familiar with that. My understanding—again, this is what I have learned from being briefed by individuals at the IGs offices—is that they do work closely with those offices, and I believe they opposed the creation of additional IGs when that came up, but again, I have not looked in any detail as to the reasoning behind that.

Senator GLENN. Well, it looks as though these advisory groups are sort of going in the wrong direction in one place and they want to combine things so it is going to be more efficient. The others want to spread IGs all over the landscape. If it is necessary and we are going to have a more efficient operation out there by putting IGs on site—I presume you have an IG office over there at these sites now.

Ms. HILL. I know they work closely with those people. That is my understanding.

Senator GLENN. Yes, they work closely, and I would think it could still come under your direct control without establishing separate IGs, although I have been one who has backed IGs in every department. We expanded that back a few years ago, as you will

recall, so that we now cover, I think it is 61 different agencies and departments of Government with IGs.

I have no more questions. I say just remember the independence we are depending upon you to have. I think that is the most key element in an IGs operation, to keep that independence. Too often in the past when there were IGs that were not statutory, that just reported to the agency head, they became just tools of the management, and so on, and sometimes their warnings were listened to, sometimes not.

With the law the way it is now, your responsibilities are every bit as much to the committees of Congress as they are to the Secretary of Defense. I think that is a major difference than any other legislation I know of, and I know you will carry out your duties well. Thank you.

Ms. HILL. I will do my best.

Senator GLENN. Thank you, Mr. Chairman.

Chairman THURMOND. This completes the hearing. Ms. Hill, I hope we can act on your nomination soon. Maybe we can act on it Thursday, when we have another hearing. I think you are well qualified to assume this job and the sooner we can get you in office the better.

That completes the hearing.

[Whereupon, at 11:47 a.m., the committee adjourned.]

[Prepared questions submitted to Eleanor J. Hill by Senator Thurmond prior to the hearing with answers supplied follow:]

January 25, 1995.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services,
U.S. Senate,
Washington, DC

DEAR MR. CHAIRMAN: Thank you for your January 12, 1995 letter of congratulations on my nomination by President Clinton to serve as the Inspector General of the Department of Defense.

Enclosed please find my answers to the questions on certain defense policy and management issues which you submitted to me.

I look forward to discussing these questions and other related issues with you and members of your committee at your convenience.

Sincerely,

ELEANOR HILL

Enclosure.

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 7 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. Do you support full implementation of these defense reforms?

Answer. Yes. As I understand it, the Act was intended to enhance the effectiveness of our defense establishment through, among other things, increased inter-service coordination and an emphasis on unified command efforts. Faced with pressure for force reduction and the often unpredictable demands of a changing world, flexibility and efficiency in the use of defense resources is critical. The Act attempted to meet those needs by creating a Defense structure that focuses on joint warfighting and, ideally, will bring all our services closer together in more closely coordinated and efficient efforts. This country's success in the Persian Gulf War, emphasizing the increased integration of the Unified Commands and the individual service capabilities, demonstrated the Act's positive impact on our defense efforts.

In the area of special operations, I understand that reform efforts have also helped to improve our ability to deal with the ever-changing world scenario. Those

efforts aimed at creating a special operations structure that is better equipped to respond to a wide range of emerging problems quickly and effectively. I support such efforts and consider oversight of special operations matters by the Inspector General as essential in order to accurately advise both the Secretary and the Congress of potential problems that could inhibit the readiness and effectiveness of these very critical forces.

Question. What do you consider the most positive accomplishment of the legislation?

Answer. Although I have not had the opportunity to closely examine the impact of each of the Act's provisions, it is my impression that, taken as a whole, the Act has helped to foster the concept of "jointness" in our defense efforts while discouraging unnecessary and costly interservice rivalry. It seems to me that the Act's emphasis on unified and coordinated efforts on a variety of levels has significantly improved the Department's ability to maximize efficient use of defense resources.

Question. What is your view of the extent to which these defense reforms have been implemented thus far?

Answer. As I indicated above, I believe that the Act has positively impacted our defense efforts and that headway has been made in implementing the reforms envisioned therein. I understand, for example, that progress has been made in the areas of joint operations, the development of joint doctrine, and the elimination of parochial barriers among the services. I also understand, however, that the Office of Inspector General has verified that some problems addressed by the Act have not been totally resolved. If confirmed, I would continue current efforts to monitor compliance with the Act.

Question. Do you believe that any changes should be made in the underlying legislation?

Answer. At this point, and without the benefit of first hand experience with its implementation in the Department, I do not feel I am in a position to responsibly recommend changes in the legislation. As indicated above, if confirmed, I intend to continue efforts by the Office of the Inspector General to insure that the Act's provisions are appropriately and effectively implemented. In keeping with the Inspector General's statutory responsibilities, I would be prepared to work with the Department and the Congress to provide thoughtful and timely advice regarding legislative proposals.

Question. What are the central issues in implementation of these measures from the perspective of Management of the Office of the Inspector General of the Department of Defense?

Answer. The management of the Office of the Inspector General should reflect and support the goals of the Act both internally and in the nature and focus of reviews undertaken by the Office. Particularly in the area of planning oversight, investigative, and audit efforts, the Inspector General's office can be extremely valuable in assessing the extent and effectiveness of the Department's implementation of the Act. I understand that the Inspector General's office has been involved in reviewing many aspects of the organizational effectiveness of the unified commands and the effectiveness of support provided by the Services and Defense Agencies to the combatant commands. I would continue to direct attention to areas such as those in an effort to assist the Department in achieving the goals of the Act.

Question. Management of the other inspection and investigative organizations within the Department of Defense?

Answer. By statute, the Inspector General has the responsibility to develop policy and provide oversight regarding audits and criminal investigations within the Department of Defense. In the area of inspections, the Inspector General has general oversight responsibility. Operating within the scope of those mandates, the Office of Inspector General can help further the goals of the Act in those areas of the Department.

A critical issue in the investigative arena has been the continuing need to prioritize and balance coverage, coupled with better coordination and the elimination of duplicative effort amongst the various investigative organizations. I understand that the Inspector General's Office has been instrumental in developing initiatives, such as the Voluntary Disclosure Program, which better enable the Department to focus scarce investigative resources on areas of greatest need.

Question. Conduct and review of inspections and investigations within the Department of Defense?

Answer. The recently released Report of the Advisory Board on the Investigative Capability of the Department of Defense raises a spectrum of issues regarding the conduct and review as well as the management of investigations within the Department. Intended to be a comprehensive review of the Department's investigative

functions, that report and the Department's response to it will no doubt be major issues in the investigative arena in the coming months.

I understand that the inspection function of the Office of the Inspector General covers a wide scope of organizations and activities within the Department and that emphasis has been placed on such important issues as implementation of the Act itself, Base Realignment and Closure implementation, and military readiness. The inspection function should complement and support the Inspector General's investigative responsibilities and can serve as yet another tool to gauge compliance with the Act and its impact on effectiveness and efficiency within the Department.

DUTIES

Question. Section 3 of the Inspector General Act provides that the head of an agency (e.g., the Secretary of Defense) may not "prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation." There are limited exceptions provided in section 8 of the Act.

Are you committed to maintaining the independence of the IG as set forth in the Inspector General statute?

Answer. I am fully committed to maintaining the independence of the Inspector General as set forth in the Act. Throughout my professional career, I have been involved in the conduct of sensitive and oftentimes complex investigations, first as a Federal prosecutor and subsequently with the Senate's Permanent Subcommittee on Investigations. In my view, individuals who conduct investigations bear a heavy responsibility to maintain high standards of integrity, credibility, and fairness throughout the course of any investigation. To meet those standards, an investigation must be independent, unbiased, and free from outside interference. Having relied on those principles throughout my career, I am confident that I could maintain the kind of independence called for by the statute.

Question. What is your view of the relationship between the IG and the Secretary on the subject of audits and investigations in view of the degree of independence provided by section 3?

Answer. If confirmed, I would attempt to establish a strong and constructive working relationship with the Secretary without in any way compromising the independence and integrity of audits and investigations conducted by the Office of the Inspector General. I do not believe that that independence should prevent the Inspector General from being responsive to management requests for evaluations of specific programs or problems in the Department. I also think it is appropriate to keep the Secretary and other senior managers informed of audit, inspection, and investigative results. At the same time, I would also fulfill the statutory requirements for reporting to the Congress. I would insist on accuracy, objectivity, and professionalism in the conduct and reporting of all reviews. I believe it is possible, and this would clearly be my intent, to work with the Secretary toward the common goal of a stronger and more efficient Department without compromising the independence and integrity of the Office of the Inspector General.

Question. Sections 4 and 8 of the Inspector General act set forth a number of duties for the Inspector General, beyond the conduct of audits and investigations. What is your view of the relationship between the IG and the Secretary on these policy issues?

Answer. In my view, the Inspector General has a unique and special relationship with the Secretary of Defense. While in many respects viewed as an independent overseer of Departmental programs and management initiatives, the Inspector General should also be a valuable source of advice and assistance to management in improving Departmental efficiency and performance.

To be effective and productive, the relationship between the Inspector General and the Secretary must be based on respect, confidence and trust. Obviously, those must be earned—in the case of the Inspector General, by a consistent track record of credibility, professionalism, and fairness in audits, inspections, and investigations. I would strive to maintain those standards in the office of the Inspector General and to develop the kind of solid working relationship with the Department's senior management that I believe the statute envisions.

Question. To the extent that the IG is the Secretary's advisor on substantive policy issues, how would you ensure that the Office of Inspector General is able to conduct independent audits and investigations into the management of such policies?

Answer. While the Inspector General may provide the Secretary with advice in the initial development and formulation of certain policies, I do not believe that would preclude the Inspector General from subsequently evaluating the implementation or management of that policy. Questions of efficient and effective manage-

ment can be quite different from the issues surrounding the development of substantive policy. The fact that I had rendered some advice during policy development would not control a later review of management efforts.

Question. Section 3 of the Inspector General Act provides for the IG to have a demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or investigations. What background and experience do you possess that you believe qualifies you to perform the duties of the Inspector General?

Answer. Throughout the last 20 years, my career has been in law and in the conduct of investigations. As a Federal prosecutor in both the United States Attorney's office and the Organized Crime Section of the Department of Justice, I supervised major Federal criminal investigations, including numerous grand jury investigations, prosecuted cases resulting from those investigations, and briefed and argued Federal criminal appeals. On the staff of the Senate's Permanent Subcommittee on Investigations, I have conducted and supervised numerous congressional investigations on a wide variety of topics. As part of my work in those areas, I have had the opportunity to work with numerous law enforcement and investigative tools over the years, including, among others, subpoenas, search warrants, immunity orders, undercover operations, protected witnesses, and consensual and nonconsensual electronic monitoring. I have also had the benefit of considerable work in the investigation and prosecution of fraud against a variety of Federal programs and agencies. Finally, I have worked closely with a wide variety of Federal, State, and local law enforcement and regulatory agencies over the years. I believe my credentials in the investigative and legal arenas are well-established and, if confirmed, would serve me well in the position of Inspector General.

Though certainly not as extensive as my investigative and legal experience, I have also had some exposure to each of the other areas named in the statute. The bulk of my knowledge in the accounting and financial analysis areas comes from my work with accountants and financial analysts in numerous investigations over the years. Reliance on financial analysis and accounting and financial records has been critical in many of those cases. I also have some familiarity with the areas of management analysis and public administration, particularly through my work on oversight and investigations at the Permanent Subcommittee on Investigations. During my tenure there, the subcommittee has examined in depth the administration of a variety of government programs, as well as the operations and management practices of certain areas of the private sector that directly affect the public interest.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. Although I have, particularly through my work with the Permanent Subcommittee on Investigations, some familiarity with the Department of Defense and the military services, I do not pretend to be an expert on the very broad scope of defense-related programs and operations. If confirmed, I would do my best, with the benefit of the considerable expertise that already exists in the Office of the Inspector General, to develop a solid working knowledge of the Department's operations and significant defense-related issues.

Question. Based on your background and experiences, are there any changes that you would recommend either internally or to the Congress with respect to the organization or responsibilities of the Inspector General?

Answer. At this point I think it would be premature for me to recommend those kinds of changes without first having had the opportunity to become thoroughly familiar with the activities and operations of the Office of the Inspector General.

Question. Please describe your understanding of both the formal and informal relationships between the Inspector General and each of the following:

(1) The Comptroller General

Answer. I understand that the Inspector General must work closely with the Comptroller General to ensure that Department of Defense audit and inspection activities are coordinated as well as possible with those of the General Accounting Office (GAO) and to avoid unnecessary and sometimes counterproductive duplication of effort. Towards that end, the Inspector General and the Comptroller General exchange work plans, coordinate each new audit or inspection between the two organizations, and keep both organizations informed as to the results of the audit and inspection activities.

The Inspector General also serves as the Department's central liaison with GAO for the purposes of coordinating all Departmental activities regarding a GAO review. This covers all matters that arise from the time a GAO audit is announced until final action is taken on a GAO recommendation. My understanding is that the Office of the Inspector General has been instrumental in insuring coordination be-

tween the Department and GAO and that, in the course of those efforts, has developed an excellent working relationship with the Office of the Comptroller General.

Question. (2) The General Counsel for the Department of Defense

Answer. Both the General Counsel and the Inspector General serve as advisors to the Secretary. A strong relationship between the two enhances their ability to address and consider all aspects of a particular issue and, ultimately, gives the Secretary the benefit of the coordinated expertise of both of their offices. Aside from their advisory role to the Secretary, the General Counsel and the Inspector General also directly interface as a result of the Inspector General's reliance on attorneys from the General Counsel's office for legal advice. Pursuant to a Memorandum of Understanding, those attorneys are assigned directly to the Office of the Inspector General to provide independent and objective advice and counsel on all matters that relate to the programs, duties, functions, and responsibilities of the Inspector General. The Inspector General reserves the right to hire other legal counsel should a need arise. I have been informed that, to date, this arrangement has worked well, enabling the Inspector General's Office to obtain independent legal advice with the benefit of the full range of expertise found in the Office of the General Counsel.

Question. (3) The Military Departments, with specific reference to:

(a) The Inspectors General

Answer. Pursuant to the Inspector General Act Amendments of 1978, the Inspector General has explicit policy and oversight authority, but not operational control, over all Military Departments' audit and criminal investigative elements. There is no equivalent statutory authority concerning the inspection and administrative inquiry activities of the Military Department Inspectors General. Although it may seem that there would be overlapping responsibilities between the Department of Defense Inspector General and the Military Inspectors General, there are distinct differences in their roles. The Military Inspectors General seek primarily to extend the presence of the commander across the full spectrum of command responsibility. The Department of Defense Inspector General, on the other hand, seeks to provide the Secretary with an in-depth assessment of problem areas and potential solutions to those problems, usually focusing more on systemic matters that cross Service lines.

Department of Defense directives governing certain programs in which the Military Inspectors General participate also give the Inspector General policy and oversight roles with respect to those programs. These include the Department of Defense Hotline, whistleblower reprisal investigations and investigations against senior officials.

I also understand that personnel from the Office of the Inspector General meet regularly with Military Inspectors General staff in order to keep each other advised of planned and ongoing work, to coordinate coverage, to avoid unnecessary duplication, and to discuss other issues of mutual interest.

Question. (b) The criminal investigative organizations

Answer. Statutorily, the Inspector General has the authority to initiate, conduct and supervise criminal investigations relating to any and all programs and operations of the Department of Defense. Moreover, the Inspector General is statutorily authorized to develop policy, monitor and evaluate program performance, and provide guidance regarding all criminal investigative programs within the Department. In short, the Inspector General directly interacts with the military criminal investigative organizations (MCIOs) in two broad areas: the conduct of criminal investigations in which there may be joint interest and the exercise of the Inspector General's policy and oversight role with regard to operations of the MCIOs.

As I understand it, there are many criminal investigations which impact primarily on the jurisdiction of a local commander that are conducted by the appropriate MCIO or post military or security police agency. The Inspector General is more heavily involved in investigations that affect major Departmental programs or affect more than one military service. However, I have been informed that there are many criminal investigations, particularly in the fraud area, where there is joint interest and/or activity by both the Inspector General and the MCIOs and where close coordination of effort is required.

Question. (c) The audit agencies

Answer. Statutorily, the Inspector General has the responsibility to provide policy direction for and to conduct, supervise, and coordinate audits relating to DOD programs and operations. Obviously, under that authority, the Inspector General has occasion to work closely with the military audit agencies.

I understand that the heads of the military audit organizations meet at least quarterly with personnel from the Office of the Inspector General to discuss ongoing issues, plans, and ways to better assist Department management. There are also several joint audit planning groups that have been created to improve and coordi-

nate planning. Finally, the auditors from the Office of the Inspector General and the military services frequently assist each other on specific projects, particularly those involving audits required by the Chief Financial Officers Act.

Question. (d) The General Counsels and Judge Advocates General

Answer. I am informed that there is no formal relationship between the Inspector General and the military General Counsels and Judge Advocates General. On an informal level, however, good working relationships have evolved on a case by case basis, where there is some mutual interest. Moreover, attorneys assigned to the Office of the Inspector General may occasionally seek assistance from these offices when an audit or investigation raises issues with which that office may have some particular expertise.

Question. (4) The Under Secretary of Defense for Acquisition and Technology

Answer. The Under Secretary of Defense for Acquisition and Technology is responsible for a very large segment of Departmental operations and, as such, is a major recipient and user of services and reports provided by the Office of the Inspector General. The Under Secretary's involvement would also be especially valuable to the Inspector General in audit planning efforts, particularly in the acquisition area.

Question. (5) The Defense Acquisition Regulatory Council

Answer. I understand that the Defense Acquisition Regulations Council and the Office of the Inspector General have a good working relationship. The Defense Acquisition Regulations Council formally requests public comments, including comments from the Inspector General, on all proposed revisions to the Federal Acquisition Regulation (FAR) and the Defense FAR Supplement. In addition, the Council occasionally requests assistance from the Inspector General with fact-finding on especially complex issues and assists the Inspector General in the development of recommendations to resolve audit findings.

Question. (6) The Director of Operational Test and Evaluation

Answer. The Director of Operational Test and Evaluation frequently requests audit coverage and is a principal user of many reports issued by the Office of the Inspector General.

Question. (7) The Assistant to the Secretary of Defense (Intelligence Oversight)

Answer. The Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD-IO) focuses on ensuring that certain Departmental intelligence activities are conducted in compliance with Federal law and with a presidential policy directive. As such, the work of the Assistant to the Secretary is quite distinct from that of the Inspector General. Nevertheless, the two offices coordinate on matters of mutual interest and the Inspector General's Office has provided assistance to the ATSD-IO from time to time. I understand that the two offices have developed a good complementary working relationship.

Question. (8) The Defense Contract Audit Agency

Answer. As indicated above, the Inspector General has authority to provide policy direction for and to conduct, supervise, and coordinate audits regarding Departmental programs and operations. Given the scope of that authority, there is frequent interaction between the Office of the Inspector General and the Defense Contract Audit Agency (DCAA).

Although DCAA reports to the Under Secretary of Defense (Comptroller), it operates under audit policies established by the Inspector General. The Director of the DCAA, along with other Department Audit Chiefs, meets at least quarterly with the Inspector General to discuss and coordinate audit activities. Finally, a significant portion of the Inspector General's audit oversight efforts are focused on the DCAA.

Question. (9) The Defense Investigative Service

Answer. The Defense Investigative Service (DIS) is a separate agency of the Department of Defense, whose focus and function differs from that of the Office of the Inspector General. The two do inter-relate, however, to some degree. DIS frequently relies on criminal investigative data supplied by the Department's criminal investigative organizations when evaluating facilities clearances of Department contractors and information involving personal conduct.

Question. (10) The Inspectors General of the Defense Agencies

Answer. The Inspectors General of the Defense Agencies report to their respective agency heads. However, in areas such as audits and the operations of hotlines, they come under the policy-making authority of the Department of Defense Inspector General. The Defense Agencies' Inspectors General also serve as the contact with the Department's Inspector General in facilitating proper implementation of Inspector General recommendations.

Question. Are there any changes needed in the relationships described in your response to the previous question?

Answer. At this point I prefer not to recommend any changes until I have had the opportunity to become more familiar with the Office of the Inspector General and its interaction with those entities.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Inspector General of the Department of Defense?

Answer. To a large degree, the major challenges which confront the Inspector General's Office reflect the central issues which the Department is expected to address in the near future. Ideally, the Inspector General should be a source of valuable advice to the Secretary in dealing with those issues in a way that will maximize efficiency and effectiveness within the Department.

A critical and ongoing question for the Department has been how to best accommodate downsizing and restructuring without adversely affecting readiness. Moreover, the Deputy Inspector General 2 years ago identified several significant management challenges for the Department. I understand that those issues, complicated by downsizing and restructuring questions, are ongoing concerns for both Department management and the Office of the Inspector General.

I also see major challenges to the Inspector General in areas relating to the internal operations of the Inspector General's Office itself. The recently released report of the Advisory Board on the Investigative Capability of the Department of Defense raises a spectrum of critical issues regarding investigations. These issues directly impact the Office of the Inspector General as well as the military criminal investigative organizations. As such, I expect that the next Inspector General will have to devote considerable attention to the Board's findings and recommendations, with a view to ultimately improving the quality and efficiency of the investigative function within the Department.

Finally, as alluded to earlier, my own experience tells me that a continuing challenge for any Inspector General lies in maintaining very high standards of integrity, credibility, professionalism and fairness in the audits, inspections, and investigations conducted under the authority of his or her office. Adherence to those standards is a necessary foundation for a solid and effective working relationship between the Inspector General and Department management.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. I intend to establish strong working relationships with managers and the heads of other Departmental oversight organizations to insure appropriate and coordinated coverage of all major problem areas and to develop early awareness of other, equally significant, issues as they may arise. Among other things, I would place considerable emphasis on the Department's need to develop better, more integrated information processing systems, which would potentially enhance communication and coordination efforts. I would work closely with senior personnel within the Office of the Inspector General regarding the Advisory Board's report in order to assure that the report's recommendations are appropriately addressed within the Inspector General's Office. I would also confer closely with senior Department management and the heads of the military criminal investigative organizations to insure that the Report's recommendations regarding the investigative function are addressed in an effective and coordinated fashion. Finally, I would review procedures designed to reinforce close adherence to the professional standards mentioned above and personally emphasize the importance of those standards in carrying out the duties of the Inspector General's office.

PRIORITIES

Question. If confirmed, what would be your top priorities as Inspector General: In terms of addressing substantive policy issues facing the Department of Defense?

Answer. At this point, I prefer not to establish specific, ordered priorities until I have the benefit of becoming more familiar with the activities of the Inspector General's office. However, I expect that many of the issues which I described as "challenges" in the answer to the previous question would be issues that I would direct considerable attention to. In the area of substantive policy issues, that would include, among others, acquisition reform, the development of more integrated information processing systems, and efforts to maintain readiness.

Question. In terms of the conduct and review of audits and investigations within the Department of Defense?

Answer. Again, I would prefer not to establish specific, ordered priorities for the reasons set forth above. However, in the area of investigations, I clearly expect to devote considerable attention to the findings and recommendations of the Advisory

Board on the Investigative Capability of the Department of Defense as well as to the ongoing need to insure balanced and coordinated coverage of problem areas. In the area of audits, I expect to emphasize adequate planning to insure effective coverage as well as efforts to maximize the Department's ability to meet the audit requirements of the Chief Financial Officers Act. Finally, as mentioned above, I am sure that I would place considerable emphasis on maintaining integrity, credibility, professionalism and fairness in all audit and investigative activity.

Question. What do you consider to be the most serious problem in the conduct and review of audits and investigations in the Department of Defense?

Answer. At this point, and without the benefit of firsthand experience within the Inspector General's Office, I have been advised that in the auditing area, there are serious problems in meeting the increased audit workload established by the Chief Financial Officers Act, in enhancing computer auditing skills, and in determining how much audit coverage is appropriate. In the area of investigations, I understand that overlapping jurisdictions may have generated problems in duplication of effort, coordination and management of cases, and friction among the investigative organizations.

Question. What management actions and timetables would you establish to address these problems?

Answer. Although I understand that these issues are currently being addressed by the Office of the Inspector General, if confirmed, I would meet with appropriate officials to determine whether more can be done in these areas.

Regarding audit issues, I would establish a schedule for periodic meetings with the leaders of Department audit organizations to discuss action plans and to receive their feedback on new and existing problems as well as efforts by the Inspector General's Office in these areas.

On investigative issues, I expect that the Congress, as well as the Department, will be addressing the recommendations in the Advisory Board's Report in the near future. If confirmed, I would review those recommendations with appropriate personnel within the Inspector General's Office and then confer with Department management as well as representatives of the military criminal investigative organizations in an effort to properly address the concerns raised in the Report. Again, this is an area that, if confirmed, I would expect to address in some depth early in my tenure as Inspector General.

ACQUISITION STREAMLINING

Question. What role should the Inspector General play in the development of regulations implementing the Federal Acquisition Streamlining Act of 1994?

Answer. I understand that the Deputy Inspector General is currently a member of the Department of Defense Acquisition Reform Steering Group and that the Office of the Inspector General is given the opportunity to comment twice on all proposed acquisition reform rule changes, first informally and then again during the official coordination process. In addition, the Defense Acquisition Regulations Council frequently asks Inspector General staff to participate in discussing issues and identifying relevant audit reports and other documentation. I have been told that this relationship is working well, injecting the expertise of the Inspector General's Office into the process.

Question. Are there additional major legislative changes needed to achieve the fundamental purpose of the Act?

Answer. At this point, prior to becoming more familiar with the experience of the Office of the Inspector General in this area, I prefer not to recommend additional changes to the legislation. If confirmed, I would do my best to work with the Department and the Congress to provide thoughtful and timely advice regarding additional legislative proposals in the acquisition area.

CONDUCT AND REVIEW OF INVESTIGATIONS

Question. Both the Senate and House Armed Services Committees have conducted detailed inquiries into the conduct and review of investigations in the Department of Defense based upon problems related to investigations into matters such as deficiencies in acquisition management and the Tailhook and U.S.S. *Iowa* incidents. In the conference report accompanying the National Defense Authorization Act for Fiscal Year 1993, the conferees set forth a detailed list of issues to be examined by the Secretary of Defense (H. Rep. 102-966, pages 742-45). The Department of Defense has established an Advisory Board on the Investigative Capability of the Department of Defense in order to address the issues raised by the conference report. The final report is anticipated to be completed by the end of this year.

What is your understanding of the role that the Inspector General will play in the Department's review of the recommendations of the Advisory Board?

Answer. It is my understanding that the Inspector General, as both advisor to the Secretary and as the source of policy direction for investigations, will work closely with the Department in providing assistance in the review of the Advisory Board's recommendations.

MILITARY JUSTICE

Question. How should the Inspector General approach the evaluation of military justice policies, procedures, and punishments in a manner that provides useful advice but does not raise issues of unlawful command influence?

Answer. In dealing with the military justice system, the Inspector General focuses on significant issues or problem areas and recommends appropriate corrective action. These types of reviews are generally oriented toward policy and oversight issues and would not normally involve the disposition of specific cases, to include an ongoing criminal investigation, a pending trial by court martial, or a court-martial case prior to completion of appellate review. Under those circumstances, coupled with the fact that the Inspector General is not a part of the command structure, there should be little, if any, danger of raising "command influence" problems.

The Inspector General also makes recommendations, as part of the investigative oversight responsibility, to the military criminal investigative organizations. Again, these are generally designed to improve investigative quality, and not to determine the outcome of a specific case. Moreover, the recommendations are made to investigators, not commanders, and, as such, should not pose "command influence" problems.

[The nomination reference of Eleanor J. Hill follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 5, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Eleanor J. Hill, of Virginia, to be Inspector General, Department of Defense, vice Susan J. Crawford.

[The biographical sketch of Eleanor J. Hill, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ELEANOR J. HILL

From 1980 to the present, Eleanor Hill has been associated with the United States Senate's Permanent Subcommittee on Investigations, where she has managed a wide variety of complex domestic and international investigations over the years. Throughout her tenure as the Subcommittee's Chief Counsel to the Minority (1982-1986) and Staff Director and Chief Counsel (1987 to date), she has served as principal advisor to Subcommittee Chairman Senator Sam Nunn (D-Ga.) on a host of investigative, oversight, and criminal law issues.

In her work at the subcommittee, Ms. Hill has directed investigations and prepared public hearings on, among other things, organized crime; money laundering; Federal drug enforcement efforts, including those by the Department of Defense; fraud and abuse in Federal Student Aid programs; fraud and abuse in the insurance and reinsurance industries; allegations of mismanagement in the Blue Cross and Blue Shield systems; oversight of the Federal Security Clearance programs; and labor racketeering. In doing so, she has supervised a subcommittee staff of attorneys and investigators and worked closely with other congressional officers, the General Accounting Office and numerous Federal, State and local agencies.

As a result of those investigations, Ms. Hill has been directly involved in the legislative process in a number of areas, including substantial work on comprehensive anti-crime and anti-drug legislation in 1984, 1986, and 1988; student loan reform proposals in the Reauthorization of the Higher Education Act; and drug-enforcement related amendments to the 1989 and 1991 National Defense Authorization Acts.

In 1987, Ms. Hill also served as counsel to Senator Nunn for purposes of his tenure on the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition.

Prior to her work in the Senate, Ms. Hill had extensive experience as a Federal prosecutor and trial attorney. Upon her graduation from law school in 1974, she served first as an Assistant United States Attorney and subsequently as a Special Attorney with the Department of Justice Organized Crime Strike Force, both in Tampa, Florida. She directed numerous Federal grand jury investigations and tried a wide variety of Federal criminal cases, including lengthy and complex prosecutions of organized crime, racketeering, fraud, public corruption, and white collar crime.

Recognized for her investigative experience in both the executive and legislative branches, Ms. Hill has been a featured speaker at numerous professional meetings and seminars.

A native of Miami Beach, Florida, Ms. Hill graduated magna cum laude from Florida State University in 1972 and received her law degree, with high honors, from Florida State University College of Law in 1974. She is a member of honoraries Phi Beta Kappa and Phi Kappa Phi.

Ms. Hill is married to Washington attorney Thomas Gross. They have one son, Bryan Michael Gross, age two.

RÉSUMÉ OF ELEANOR HILL

PROFESSIONAL EXPERIENCE

1987–January 1995:

CHIEF COUNSEL AND STAFF DIRECTOR, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC.

- Serve as Chief Counsel and key advisor to Subcommittee Chairman, Senator Sam Nunn (D-Ga.) on investigative, oversight and criminal law issues.
- Manage all subcommittee operations, including administrative, personnel, and budget matters.
- Direct and review work of subcommittee staff, including attorneys, investigators, auditors and support.
- Supervise subcommittee investigations and hearings on international and domestic topics, including organized crime; proliferation of chemical weapons; settlement of Soviet and Communist Bloc defectors; oversight of drug enforcement efforts, including those by the Department of Defense; fraud and abuse in Federal student aid programs; fraud and abuse in insurance and reinsurance industries; and mismanagement in the Blue Cross and Blue Shield health care systems.
- Direct and review preparation of subcommittee reports.
- Supervise and direct drafting and negotiation of legislative proposals, including substantial work on the Omnibus Crime-Drug Abuse Act of 1988, student loan reform proposals in the Reauthorization of the Higher Education Act, and drug enforcement-related amendments to the 1989 and 1991 National Defense Authorization Acts.
- Coordinate subcommittee activities with other congressional offices and Federal, State, and local government agencies.
- Respond to media and public inquiries on behalf of the subcommittee.
- Develop, coordinate, and review audits and evaluations performed by the U.S. General Accounting Office at the subcommittee's request.
- Served as counsel to Senator Nunn for purposes of his tenure on the Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition (1987).

1982–1987 and January 1995 to present:

CHIEF COUNSEL TO THE MINORITY, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC.

- Served as Chief Counsel and key advisor to subcommittee ranking minority member, Senator Sam Nunn (D-Ga.) on investigative, oversight and criminal law issues.
- Supervised subcommittee investigations and hearings on various topics, including the transfer of U.S. technology to the Soviet Union; review of the Federal security clearance programs; airline safety; drug enforcement efforts; and labor racketeering.
- Directed and reviewed subcommittee reports of minority investigations.

- Supervised and directed drafting and negotiation of legislative proposals, including substantial work on the Crime Control Act of 1984; the Anti-Drug Abuse Act of 1986; the Security Clearance Information Act of 1985; and amendments to Department of Defense Authorization Acts regarding personnel security and drug enforcement.

- Represented subcommittee minority interests in dealing with other congressional offices, government agencies, the media, and the public.

1980-1982:

ASSISTANT COUNSEL, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC.

- Conducted subcommittee investigations and prepared hearings on organized crime, labor racketeering and international narcotics trafficking.

- Prepared and delivered testimony before the subcommittee regarding international efforts to curb the production and sale of Southeast Asian heroin.

- Drafted legislative proposals which were later enacted into law as the Labor-Management Racketeering Amendments of 1984.

1978-1980:

SPECIAL ATTORNEY, U.S. Department of Justice Organized Crime Strike Force, Tampa, Florida.

- Conducted Federal grand jury investigations involving organized crime, fraud, extortion and public corruption.

- Tried major Federal criminal cases, including the prosecution and conviction of a cabinet member of the State of Florida on public corruption charges.

- Testified before the U.S. Senate Permanent Subcommittee on Investigations regarding the trial of what was, at the time, the largest Federal racketeering case in the country.

1975-1978:

ASSISTANT U.S. ATTORNEY, Office of the U.S. Attorney, Tampa, Florida.

- Conducted numerous Federal grand jury investigations regarding Federal criminal offenses.

- Prosecuted a wide variety of Federal criminal cases.

- Briefed and argued Federal criminal appeals.

- Defended the government in a variety of civil suits.

- Received outstanding performance ratings from the Department of Justice, commendations from Federal law enforcement agencies, and awards from professional and civic organizations for law enforcement efforts.

July, 1974-December 1974:

LEGAL RESEARCH ASSISTANT, Governor's Organized Crime Unit, Tallahassee, Florida.

- Researched, compiled and edited a manual for State attorneys on the prosecution of organized crime in Florida.

EDUCATION:

FLORIDA STATE UNIVERSITY, COLLEGE OF LAW, Tallahassee, Florida.

- J.D., with High Honors, December, 1974.

- University Fellowship.

- Law Review.

- American Jurisprudence Book Award in Criminal Law.

FLORIDA STATE UNIVERSITY, Tallahassee, Florida.

- B.S., Magna cum Laude, June, 1972.

- Majors in Economics and Political Science.

- Phi Beta Kappa.

- Phi Kappa Phi.

- Honors Program.

- Dean's List.

MISCELLANEOUS:

- Admitted to the Florida Bar (1975), the Federal Bar of the Middle District of Florida, and the Bar of the Fifth Circuit Court of Appeals.

- Served as guest speaker at various professional meetings and seminars.

- Current Top Secret security clearance and SCI Access.

PERSONAL:

- Born December 19, 1950 in Miami Beach, Florida.
- Married to Thomas P. Gross, April 7, 1990; one son, Bryan Michael, born 1992.

** References available on request.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Eleanor J. Hill in connection with her nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Eleanor Jean Hill; I have also used an alternative spelling of Eleanor.
2. **Position to which nominated:**
Inspector General, Department of Defense.
3. **Date of nomination:**
January 5, 1995.
4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**
December 19, 1950; Miami Beach, FL.
6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Thomas P. Gross.
7. **Names and ages of children:**
Bryan Michael Gross, 2.
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
High School: Notre Dame Academy, Miami, FL; 9/64 to 5/68; graduated, 5/68.
College: Florida State University, Tallahassee, FL; 9/68 to 5/72; Bachelor of Science degree with major in Economics and Political Science; 5/72.
Law School: Florida State University, Tallahassee, FL; 6/72 to 12/74; Juris Doctor degree, 12/74.
9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Chief Counsel to the Minority, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC, 1/3/95 to date.

Staff Director and Chief Counsel, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC, 1/87 to 1/3/95.

Chief Counsel to the Minority, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC, 1/82 to 12/86.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Assistant Counsel, U.S. Senate Permanent Subcommittee on Investigations, Washington, DC, 9/80 to 1/82.

Special Attorney, U.S. Department of Justice Organized Crime Strike Force, Tampa, FL, 7/78 to 9/80.

Assistant U.S. Attorney, U.S. Attorney's Office, Tampa, FL, 2/78 to 7/78.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Phi Beta Kappa; Florida Bar.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None, other than being registered as a Democrat for voting purposes in the District of Columbia prior to my move to Virginia in 1993.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

High School: President, National Honor Society; Student Council; Senior medals in General Scholarship, Chemistry and Latin; school nominee for Miami Herald Silver Knight Award in general scholarship.

College: Florida Board of Regents scholar; Membership in scholastic honoraries Phi Beta Kappa and Phi Kappa Phi; Honors program; Dean's list; graduated magna cum laude;

Law School: University Fellowship; Law Review; Award in Criminal Law; graduated with high honors.

Employment: Letters of commendation from U.S. Secret Service (1976), Federal Bureau of Investigation (1978, 1980), U.S. Department of Health, Education and Welfare (1976); and United States Attorney (1978); Award for Outstanding Contribution to Law Enforcement, Citizens Alert, Inc., Tampa, Florida, May 1978; Honorary membership, Pinellas County Association of Arson Investigators, 1978; Commended by formal resolution of International Association of Arson Investigators, 1978; Certificates of Outstanding Performance, U.S. Department of Justice (1979, 1980); plaque presented by the Federal Investigators Association, May, 1993.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Comment, 1 F.S.U. Law Review 525 (1973) (Discussing the Florida Supreme Court's adoption of comparative negligence);

Note, Expanding Double Jeopardy: Collateral Estoppel and the Evidentiary Use of Prior Crimes of which the Defendant Has Been Acquitted, 2 F.S.U. Law Review 511 (1974);

"Practice Under RICO Act", Practice Under Florida Theft and RICO Laws Manual, Florida Bar Association (1980), (co-author).

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have delivered numerous speeches and other types of presentations to seminars, professional meetings, etc. during the years I have worked with the subcommittee, most of which dealt with the topic of investigations. However, my practice has been to deliver those speeches extemporaneously, working from rough notes or a general outline that I had prepared for my own use. I have not, to my recollection, handed out copies of a "formal speech" as described in the question.

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ELEANOR HILL.

This 11th day of January, 1995.

[The nomination of Eleanor J. Hill was reported to the Senate by Senator Strom Thurmond on February 2, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 23, 1995.]

VOTE ON THE NOMINATION OF ELEANOR HILL TO BE DOD INSPECTOR GENERAL AND CERTAIN PENDING MILITARY NOMINATIONS

THURSDAY, FEBRUARY 2, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:45 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Coats, Hutchison, Santorum, Exon, Levin, Glenn, and Lieberman.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Donald A. Deline, general counsel; Marie Fabrizio Dickinson, deputy chief clerk; and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Stephen L. Madey, Jr., Thomas G. Moore, Joseph G. Pallone, Steven C. Saulnier, and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard E. Combs, Jr., Patrick T. Henry, and T. Kirk McConnell, professional staff members.

Staff assistants present: Pamela L. Farrell, Shelley G. Lauffer, Kathleen M. Paralusz, and Deasy Wagner.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; James M. Bodner, assistant to Senator Cohen; Ann E. Sauer, assistant to Senator McCain; Samuel D. Adcock, assistant to Senator Lott; Thomas L. Lankford, assistant to Senator Smith; George K. Johnson, Jr., assistant to Senator Hutchison; Matthew Hay, assistant to Senator Inhofe; Patricia L. Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Patricia J. Buckheit and Suzanne M. McKenna, assistants to Senator Glenn; Lisa W. Tuite, assistant to Senator Byrd; Suzanne Dabkowski, assistant to Senator Robb; John F. Lilley, assistant to Senator Lieberman; and Randall A. Scheiber, assistant to Senator Bryan.

**OPENING STATEMENT OF SENATOR STROM THURMOND,
CHAIRMAN**

Chairman THURMOND. Since a quorum is now present, we will consider the nomination of Eleanor Hill to be Inspector General of the Department of Defense, and certain pending military nominations.

On January 31, the committee held a hearing on Ms. Hill's nomination, and I can advise that we have received all of the required paperwork on this nominee, and all is in order.

Senator Nunn and I can report there is nothing disqualifying in the FBI material.

Is there a motion to favorably report Ms. Hill?

Senator EXON. I so move, Mr. Chairman.

Chairman THURMOND. Is there a second?

Senator WARNER. I second.

Chairman THURMOND. All in favor, say aye.

[Chorus of ayes.]

All opposed, say no.

[No response.]

The ayes have it and the Hill nomination is ordered favorably reported to the Senate.

Now, the 10,759 military nominations proposed for consideration today appear on the list that has been passed out to each member. These nominations have been before the committee the required length of time, and no objections have been raised regarding them.

Unless there is further discussion, the chair will now entertain a motion to favorably report these military nominations.

Senator EXON. I so move.

Senator WARNER. I second.

Chairman THURMOND. It has been moved and seconded that we approve these nominations. All in favor, say aye.

[Chorus of ayes.]

All opposed, say no.

[No response.]

It appears the ayes have it and the nominations are approved.

[Whereupon, at 10:47 a.m., the hearing was adjourned.]

NOMINATIONS FOR THE 1995 DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

WEDNESDAY, FEBRUARY 15, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 9:33 a.m., in room SD-106, Dirksen Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Lott, Smith, Kempthorne, Hutchison, Inhofe, Santorum, Nunn, Levin, Kennedy, and Robb.

Also present: Senators Stevens, Pressler, Nickles, Feinstein, Inouye, Daschle, Bond, and Graham.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Donald A. Deline, general counsel; Melinda M. Koutsoumpas, chief clerk; and Christine K. Cimko, press secretary.

Professional staff members present: Romie L. Brownlee.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Frank Norton and Julie K. Rief, professional staff members.

Staff assistants present: Menge Crawford, Pamela L. Farrell, Shelley G. Lauffer, Kathleen M. Paralusz, and Deasy Wagner.

Committee members' assistants present: Grayson F. Winterling, assistant to Senator Warner; Dale F. Gerry, assistant to Senator Cohen; Ann E. Sauer, assistant to Senator McCain; Samuel D. Adcock, assistant to Senator Lott; Richard F. Schwab, assistant to Senator Coats; Thomas L. Lankford, assistant to Senator Smith; Glen E. Tait, assistant to Senator Kempthorne; George K. Johnson, Jr., assistant to Senator Hutchison; Matthew Hay, assistant to Senator Inhofe; Patricia L. Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; David A. Lewis, assistant to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; Edward McGaffigan, Jr., assistant to Senator Bingaman; Lisa W. Tuite, assistant to Senator Byrd; and Randall A. Schieber, assistant to Senator Bryan.

Senator COHEN [presiding]. The committee will come to order. Ladies and gentlemen, I am going to exercise the rare privilege of acting as Chairman of the committee just momentarily. Senator Thurmond is now opening the Senate for business this morning and has asked me to initiate the proceedings here.

I might say if the number of members who will speak on behalf of our nominees is any reflection of the caliber of the men and

women whose nominations we are now considering, we will have an outstanding Base Closure and Realignment Commission. The committee has received requests from nine members to introduce the nominees. We appreciate their interest in these individuals. We look forward to their introductions.

Because of the number of introductions, we will call the members and the nominees to the witness table by panels. I will ask that all statements be limited and advise that, by unanimous consent, your written statements will be included in the record.

Before announcing what the panels will be, I will first yield to Senator Nunn for any opening statement he might have.

Senator NUNN. Thank you, Mr. Chairman. I am pleased to join you in welcoming the nominees before the committee today. It is my hope that this committee and the Senate can act on these nominations in the most timely manner, so they can be sworn in before receiving Secretary Perry's list of recommendations for the 1995 BRAC round. I congratulate each one of you who are here today for this important task.

The difficult decisions that the 1995 Commission must make will have a dramatic impact on local communities and also on the future of the Department of Defense. I think we have to be very focused on that latter item, as well as being concerned about the communities. The effect of base closures on the Department of Defense is not limited to the size and makeup of its infrastructure but also impacts its savings over the next 4 or 5 years. In the out-years the Department of Defense will not be able to have the money to fund procurement and modernization requirements that are absolutely essential in the future if savings from base closures are not realized. Bluntly saying it, the Department can ill-afford to continue to carry excess facility overhead without jeopardizing the long-term readiness of our military forces.

The BRAC process is an expensive process in terms of near-term costs. The money saved is not near-term money, and that is the frustrating thing about this process. It is important to note that beginning in fiscal year 2000, the Department will begin to realize steady state savings of about \$4 billion a year for BRAC 1988, BRAC 1991, and BRAC 1993. Let me repeat; \$4 billion a year beginning in the year 2000.

The base closure process is a very painful, very difficult, but also necessary process that will cost less to implement today than it will in years to come.

The base closure process has been successful in carrying out its charter as established. The first three base closing rounds resulted in decisions to close 70 major bases and realign 38 others. In past rounds, the Commissioners conducted themselves in a fair, public, and non-partisan way. We have difficult issues of conflict of interest, and some of these are not going to be able to be solved. We all know that a short-term governmental service, like the base closing commission, does not lend itself to requirements that make people give up every single item of income they have and everything they do in terms of the future. Otherwise, we would not be able to get people to serve.

We are going to ask conflict of interest questions, and each of you will have to wrestle with your own conscience, and the Commission

will have to make some of its own rules relating to potential conflict of interest. It is not an easy subject for temporary government service. I am confident that each of you, if confirmed, as well as Chairman Dixon, who has already been confirmed, will ensure that this kind of procedure is carried out. I am also confident that you will make certain that the overall decisions and the perceptions growing out of the base closing process will be deemed by the public to be fair and equitable.

Mr. Chairman, I thank each of our nominees for being here and being willing to make this sacrifice in terms of the time they will inevitably spend on this process. It is time well spent in terms of the national security interest, and I thank each of them.

Senator COHEN. Thank you, Senator Nunn.

Before calling the first panel, I am going to yield to Senator McCain who would like to make some comments concerning Mrs. Cox, General Davis, and Admiral Montoya.

Senator MCCAIN. Thank you very much, Mr. Chairman. I am going to have to leave and be back in about 45 minutes—and I apologize—because of a prior commitment.

I want to also associate myself with the remarks of Senator Nunn that we have to move forward with this process. There are those who have been very disappointed in the lack of savings that have resulted from the other BRAC closings, but the fact is that no organization can continue to function with an incredibly large overhead and yet have the operating forces reduced by some 45 percent as is the case in our defense establishment.

That makes it very imperative, Mr. Chairman, that we move quickly to confirm these Commissioners in my view by the end of next week. I appreciate the willingness of all of them to serve.

I would especially like to congratulate, on behalf of Speaker Gingrich, Gen. James B. Davis, who has a 35-year career in the Air Force and who was nominated by Speaker Gingrich; and also Rebecca Cox, who is the Vice President for Governmental Affairs at Continental Airlines, formerly a Reagan appointee for women's business issues and Director of Public Liaison for the Reagan White House. She served on the 1993 BRAC as well.

I would like to mention also, Mr. Chairman, that both General Davis and Admiral Montoya, another nominee, are both classmates of mine from the Naval Academy. I hope that will not work to the detriment of their nomination. [Laughter.]

Thank you very much, Mr. Chairman, and I will be back very shortly.

Senator COHEN. Thank you, Senator McCain.

Our first panel will consist of the Senate Minority Leader, Senator Daschle, Senator Pressler, and Mr. Cornella. Would you please come to the witness table?

My temporary reign as chairman is over. [Laughter.]

Chairman THURMOND [presiding]. The first panel, proceed.

STATEMENT OF HON. THOMAS A. DASCHLE, A U.S. SENATOR FROM THE STATE OF SOUTH DAKOTA

Senator DASCHLE. Mr. Chairman, thank you very much for giving us the opportunity to present our candidate from South Dakota.

I knew you were here because I saw you this morning come in from your 10-mile run. [Laughter.]

I appreciate having the chance to be in front of you this morning. I am here to present my strong support for Mr. Al Cornella for the Commission. I have known Mr. Cornella for a long time. We have worked together on a lot of issues over the years. I am impressed with his integrity, his character, and his intelligence.

He is a small businessman who has worked on boards and commissions all of his life. He is a Navy veteran with service in Vietnam and he has worked on military issues for well over a decade.

That long record, I think, will serve him very well as a member of the Commission. He brings a unique perspective from that of a small businessman working in a rural State. I know that he will be fair, he will be objective, and he will be a very strong member of the board. I certainly urge your confirmation of Mr. Cornella at the time you take your vote.

Chairman THURMOND. Thank you very much Senator Daschle. It is an honor to have you here. Senator Pressler.

STATEMENT OF HON. LARRY PRESSLER, A U.S. SENATOR FROM THE STATE OF SOUTH DAKOTA

Senator PRESSLER. Mr. Chairman, I would join in Senator Daschle's statement of how proud we are of Al Cornella. I do have a written statement I shall place in the record.

I would just want to say that Al Cornella exemplifies the spirit of civic involvement. He has served as a member of my Service Academy Advisory Board, helping to select people to go to West Point, the Naval Academy, the Air Force Academy, the Coast Guard Academy, and the Merchant Marine Academy. I have come to trust his judgment and his values over the many years I have known him.

I might say that we are both Vietnam veterans, but he out-ranked me considerably at that time. I rank him as a man of great character, and he has been chairman of the board of the Rapid City area Chamber of Commerce. I think that except for being mayor, that is the most important job in western South Dakota in terms of economic development.

His judgment and character are excellent. He has a sterling character, a deep commitment to a strong military for our Nation. I can assure you that Al will be fair and honest in his deliberations. He will be an asset to the Base Closure and Realignment Commission.

I thank the committee and respectfully request your approval of his nomination.

[The prepared statement of Senator Pressler follows:]

PREPARED STATEMENT BY SENATOR LARRY PRESSLER

I am pleased to introduce Al Cornella today. I already have spoken with some of you about Al and my high regard for him.

Al Cornella is one of my State's finest citizens. He is a small business owner in Rapid City, South Dakota, and is actively involved in the community. Al Cornella exemplifies the spirit of civic involvement. Al served as Chairman of the Board of the Rapid City Area Chamber of Commerce a few years ago. Except for being mayor, the Chairman of the Chamber Board of Directors is probably the most prestigious position in the local community.

In addition, Al has a strong interest in and knowledge of military issues. He served in the U.S. Navy in Vietnam. For many years, he has been a key leader in military affairs issues through the Rapid City Chamber of Commerce and other organizations. For the past 3 years, Al also has served as a member of my Service Academy Advisory Board and has evaluated the applicants seeking an academy nomination.

I trust his judgment and value his advice. Al does not seek the limelight for personal glory or gain. Instead, he assesses each situation in his thoughtful, unassuming and perceptive manner. He then proceeds to do whatever needs to be done.

Simply put, Al Cornella epitomizes the American ideal of citizenship. He has solid credentials, a sterling character and a deep commitment to a strong military for our Nation. I can assure you that Al will be fair and honest in his deliberations. He will be an asset to the Base Closure and Realignment Commission. I thank the committee and respectfully request your approval of his nomination.

Chairman THURMOND. Thank you very much. We are very pleased to have you here.

That completes the first panel. Now we will take up the next panel, Senator Stevens, Senator Feinstein, and Ms. Cox. You may proceed.

STATEMENT OF HON. TED STEVENS, A U.S. SENATOR FROM THE STATE OF ALASKA

Senator STEVENS. Mr. Chairman and members of the committee, it is my privilege once again to introduce Rebecca Gernhardt Cox. She is no stranger to this committee or to Members of the Senate. When I was the Whip of the Senate, she was my Chief of Staff and my assistant as the Whip. She went to the administration, was the assistant to Elizabeth Dole, and then went to the White House to be an assistant to President Reagan. She is now the Vice President for Government Affairs at Continental Airlines.

She is one of dynamic young women of America who is married to our colleague, my friend from the House, Chris Cox. She has two beautiful children and has matured every step of the way during her life.

I am pleased that she is willing to serve again as a member of the BRAC Commission. She distinguished herself as a member of the 1993 round, and I am here personally to thank her for taking on this duty again. She will, obviously, recuse herself in the event of any Alaska matter that comes before the BRAC. [Laughter.]

Thank you, Mr. Chairman.

Chairman THURMOND. Thank you, Senator. We are pleased to have you here.

Senator NUNN. Senator Stevens, I believe that Rebecca had her second child during the BRAC round last time.

Ms. COX. My first.

Senator NUNN. Your first child?

Ms. COX. The BRAC baby. [Laughter.]

Chairman THURMOND. She still looks like a college student, does she not? [Laughter.]

Senator Feinstein, we are glad to have you here.

STATEMENT OF HON. DIANNE FEINSTEIN, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator FEINSTEIN. Thank you very much, Mr. Chairman.

As one who watched the last round of BRAC closures very closely, I also had an opportunity to observe and get to know Rebecca

Cox. I found her to be thoughtful, energetic, patient, and believe it or not, very compassionate in an area that is not known for its compassion. I am very pleased to support and recommend her to you for reappointment. As a matter of fact, I am rather surprised that she chose to be on this Commission again because of its difficulty.

I think there is no State that has seen the difficulty of the base closure rounds more than California. To date some 22 bases, \$7 billion in economic development, and over 200,000 direct jobs have been lost from the three rounds of base closure.

Mr. Chairman, if I may, I would like to just point out two quick things, and one of them is that after carefully watching this round, I believe that the Defense Department's evaluation of environmental impact costs of closure are dramatically under-estimated. That is the first thing.

The second thing, I think the non-inclusion of military construction costs, MILCON, in the formulation of decisionmaking flaws the process. I know with respect to California, specifically one base, if the cost of military construction at another base were taken into consideration, it would not have been cost effective to close that base. I am speaking about Alameda Naval Air Station and Everett MILCON costs.

I am very pleased—and I will submit my full statement for the record because I believe somebody that is informed, who is knowledgeable, who is intelligent, is in fact Rebecca Cox. Thank you very much for agreeing to another round of this.

Thank you, Mr. Chairman.

[The prepared statement of Senator Feinstein follows:]

PREPARED STATEMENT BY SENATOR DIANNE FEINSTEIN

Mr. Chairman, I am very pleased to, once again, introduce to this committee Rebecca Cox—nominee to the Defense Base Closure and Realignment Commission.

As you know, Mrs. Cox served with distinction as a Commissioner during the last BRAC round, at a time when many tough base closure decisions were made. As the only veteran commissioner to be re-nominated again this year, Mrs. Cox will be an important and welcomed asset.

Mrs. Cox is currently Vice President of Government Affairs at Continental Airlines. Before taking her current job, Mrs. Cox's career has been spent in dedicated government service: first as Chief of Staff to Senator Stevens; then as Assistant Secretary of Transportation; and finally as an assistant to President Ronald Reagan.

As members of the Base Closure panel, Mrs. Cox and the other Commissioner-designates will have an important duty to objectively evaluate all criteria when deciding what bases to close. Military value, return on investment, and the impact on communities are all important criteria that must be considered when making these very difficult and sensitive decisions.

Statutorily, military value must be given priority, but the economic impact on communities—especially the cumulative economic impact—must also be considered. California has been hit disproportionately hard by base closures, losing 200,000 jobs and \$7 billion in annual economic activity since 1988. I, for one, believe that the cumulative economic impact must be weighed, especially when determining additional base closures in hard hit areas such as California and South Carolina (the Chairman's home State).

As a Californian, I believe that Mrs. Cox is well suited to assess the economic impact on California. As a veteran of the Commission, I also believe that Mrs. Cox is well suited to review all base closures decisions in a fair and objective manner, and in accordance with the statutory criteria.

Mr. Chairman, I am confident that Rebecca Cox will, once again, be an asset to the Base Closure Commission. I fully support her nomination.

Senator STEVENS. If I may add a postscript to what the Senator from California said, I was one of those who recommended this BRAC process be held up because of the excessive costs of 1988, 1991, and 1993. I really believe that the Senator from California puts her finger on it when she says that the excessive costs ahead of us really must be taken into account because I do not think we are going to see savings well into the next century unless some of these costs are more well-defined as we close bases. Thank you, Mr. Chairman.

Chairman THURMOND. We are very pleased to have you with us and thank you for your appearance.

Senator NUNN. Mr. Chairman, if I could just make one observation. I think Senator Feinstein made a key point about the military construction, but I believe that the process does require that it be considered. The problem is, in many cases, the military services have miscalculated the MILCON costs. So, I think it is more of an estimate problem than it is a leaving-it-out type problem. Nevertheless, it is a problem, and I think it merits some real attention.

Senator FEINSTEIN. Thank you very much, Senator. Mrs. Cox just mentioned they put it in this year. So, I am delighted to hear that. Thank you very much.

Chairman THURMOND. Thank you very much.

Senator Inouye, Senator Nickles and Mrs. Steele are next. We are very pleased to have you here, and thank you for coming.

STATEMENT OF HON. DANIEL INOUYE, A U.S. SENATOR FROM THE STATE OF HAWAII

Senator INOUYE. Mr. Chairman and members of the committee, it is my pleasure to speak in behalf of Wendi Steele. I believe that Ms. Steele is an excellent candidate. She possesses a firm understanding of national security measures, an in-depth knowledge of the base closure process, a very keen intellect essential to evaluate the competing needs of the services, and a desire to ensure that the military base structure of the United States is sufficient to adequately support our national security requirements.

I can attest to this, Mr. Chairman, because I have had the privilege of working closely with Ms. Steele during 1993 and 1994 when she was the Defense Appropriations Subcommittee's associate staff member for Senator Nickles. During that time I came to know Ms. Steele as one of the brightest and hardest working associate staff members of that subcommittee. Her efforts to serve the subcommittee and Senator Nickles were impressive during the committee's review of the Department of Defense budget.

Mr. Chairman, I ask that the remainder of my statement be made part of the record, and I ask a favorable consideration of Ms. Steele.

Chairman THURMOND. Without objection, your statement will be entered into the record.

[The prepared statement of Senator Inouye follows:]

PREPARED STATEMENT BY SENATOR DANIEL K. INOUYE

Mr. Chairman, members of the committee I am pleased to be here today to testify on behalf of Mrs. Wendi Steele to be confirmed as a Commissioner on the Base Closure and Realignment Commission.

I believe Wendi Steele is an excellent candidate for Commissioner, because she possesses a firm understanding of national security measures, an in-depth knowledge of the base closure process, has the keen intellect essential to evaluate the competing needs among the services and a desire to assure that the military base structure in the United States is sufficient to adequately support our national security requirements.

Mr. Chairman, I can attest to these characteristics because I worked closely with Wendi during 1993 and 1994 when she was the Defense Subcommittee's associate staff member for Senator Nickles. During that period I came to know Wendi Steele as one of the brightest and hardest working associate staff members of the Defense Subcommittee. Her efforts to serve the subcommittee's and Senator Nickles' interests were impressive during the committee's review of the DOD budget.

I also worked closely with her during Senate floor consideration of the Fiscal Year 1994 Department of Defense Appropriations bill. She demonstrated intelligence, an ability to grasp difficult issues quickly, and an understanding of the importance of balancing the competing interests of many members as the Senate considers a complex bill like the Department of Defense Appropriations bill.

The Appropriations Subcommittee on Defense has traditionally taken a very bipartisan view of its responsibilities to the Senate and the Nation. As chairman, I worked closely with all members of the subcommittee to ensure their interests were served. I found that Wendi Steele adopted that bipartisan spirit embraced by the Appropriations Committee, a fact, I believe, that would serve her well as a Base Closure Commissioner.

Many of you may remember Wendi Steele when she was the Senate liaison for the Base Closure Commission for the 1991 round. I recall that she served the interests of all Members of Congress well during that period. I am confident she would continue to serve the needs of the Senate as a member of the Commission.

For these reasons, Mr. Chairman and members of the committee I am pleased to add my support for Mrs. Wendi Steele for the position of Base Closure Commissioner.

Chairman THURMOND. Senator, we are glad to have you Senator Nickles.

STATEMENT OF HON. DON NICKLES, A U.S. SENATOR FROM THE STATE OF OKLAHOMA

Senator NICKLES. Mr. Chairman, thank you very much. I am delighted to join Senator Inouye in strong support for Wendi Steele to serve as a Commissioner on the Base Closure and Realignment Commission.

Mr. Chairman, Wendi Steele served 5 years with Congress and working in the White House liaison, legislative affairs, and also in the Office of Management and Budget. That was primarily during the Reagan administration.

Also I might mention in 1991 she worked for the base closing process. She worked for BRAC as Senate liaison and did an outstanding job. Representative Courter, who was chairman of the Base Closure Commission, was very laudatory about her work on the Commission. Primarily due to that experience, I was happy to employ her on my staff. She did an outstanding job in working on defense, foreign relations and Defense Appropriations.

Mr. Chairman, I do not have any doubt that Wendi Steele will be a real asset to this Commission as they seek to answer a lot of the tough questions. It is not going to be an easy job, but I am very confident that she will be fair, that she will be honest, and that she will work hard with the other Commissioners to make some of the very difficult decisions that lie ahead. I would strongly recommend that the committee would confirm her as well.

Chairman THURMOND. Senator, we are glad to have you and we appreciate your remarks.

Senator NICKLES. Thank you, Mr. Chairman.

Chairman THURMOND. I wish to thank this panel.

Our next panel is Senator Bond, Representative Gephardt, and Mr. Kling. We are very pleased to hear from you, Senator.

**STATEMENT OF HON. CHRISTOPHER BOND, A U.S. SENATOR
FROM THE STATE OF MISSOURI**

Senator BOND. Thank you very much, Mr. Chairman, members of the committee.

It is a real pleasure for me to come before this committee and give the highest recommendation to S. Lee Kling to serve on the BRAC Commission. Now, there was a time a few years ago when people might have found it strange that Mr. Kling and I would be sitting at the same side of the table because from 1974 to 1977 he was finance chairman of the National Democratic Committee and served as a member of the Executive Committee. I will have to say that I came to respect his acumen at that time, and I am delighted that we have found productive work for him outside of the political sphere. [Laughter.]

But Lee Kling has established himself as a leader in the civic, philanthropic, and business community in St. Louis and has been recognized nationally and internationally. He serves as chairman of the board of Kling Rechter & Company, a merchant banking firm. He has been in the commercial banking business for the past 20 years and currently serves as chairman of Landmark, a bank holding corporation, in St. Louis.

I think it is important to note a few of the honors that he has received. He has been granted by Washington University the distinguished business alumni award. He was the Missouri Building and Construction Trade Council construction man of the year. I think it is significant also that he served as U.S. economic advisor representing the private sector during Israeli-Egyptian peace negotiations.

This practical business experience—he has been extremely successful in business and understands the difficult issues that have to be undertaken in a complicated review such as the BRAC Commission must undertake. He is extremely well qualified and, as I have said, he served on numerous philanthropic boards. He has been a vital force in the community, and I think his business background, his dedication to community and to civic work well qualify him for this position.

So, it is my pleasure to offer the strongest recommendation to this committee that you act favorably upon the nomination of Mr. Kling.

Chairman THURMOND. Senator, thank you for your presence and your remarks. Mr. Gephardt.

**STATEMENT OF HON. RICHARD GEPHARDT, A U.S.
REPRESENTATIVE FROM THE STATE OF MISSOURI**

Mr. GEPHARDT. Mr. Chairman and members of the committee, it is a great honor to be here today. I appreciate this opportunity.

I want to, in the strongest terms, recommend to the Base Closing Commission the nomination of S. Lee Kling of St. Louis. I believe that he has all of the personal, business, and analytical skills that would be needed of a member of this Commission.

As you all know, the Commission has to take into account not only the military needs and security needs of the country, but also has to make important decisions that affect communities and human lives. I think S. Lee Kling is well equipped to balance those two considerations in the best possible way.

Probably the most important thing about him is his tremendous business background. I have not met a business person who has more skill and ability in operating, managing, and running businesses, large and small, than S. Lee Kling.

For all of these reasons, I am happy to be here to add my voice to his nomination, and I urge your favorable consideration. I ask that the remainder of my statement be made a part of the record.

Chairman THURMOND. Without objection, it will be. Thank you very much, Congressman Gephardt. We are glad to have you with us.

Mr. GEPHARDT. Thank you.

[The prepared statement of Congressman Gephardt follows:]

PREPARED STATEMENT BY CONGRESSMAN RICHARD A. GEPHARDT

Mr. Chairman and members of the committee: I thank you for this opportunity to be here this morning, to introduce a man who I believe will make an outstanding contribution to the extremely difficult and complex base closure process—Lee Kling.

The fact is, the Base Realignment and Closure Commission is charged with making some very sensitive and important decisions—decisions which touch upon the lives of millions of Americans.

First and foremost, the members of the Commission must take into account the national security needs of our country. But they also must consider the concerns of the cities and communities that have built their economic lives around our military bases.

This is always a very difficult balance to strike. You have to have a keen understanding of not merely the security issues involved, but also the human issues that are at stake every time we close a military facility.

I recommended Lee Kling to President Clinton because he has all of the managerial, analytical, and personal skills necessary to make the right decisions—as well as being extremely committed to public service. He is the kind of commissioner we need to advance fair and thoughtful recommendations to the President.

Lee Kling truly brings a lifetime of experience to this appointment. As a young man, he served in the Army. Then he spent most of his extremely successful career in the insurance and banking businesses. He has a well-earned reputation as a savvy businessman and an excellent manager, with a keen understanding of the bottom line.

Lee Kling has served his government with distinction. He was Co-Chairman of the Citizens Committee for the Ratification of the Panama Canal Treaties. In 1979, he served as United States Economic Adviser, representing the private sector during the peace negotiations between Israel and Egypt.

He has also served on the boards of a number of worthy public and private corporations, as well as civic and charitable organizations.

I know that the issues faced by this year's Base Realignment and Closure Commission will be complicated and difficult—as they always are. I am confident that Lee Kling will make a crucial contribution to this process—and I urge this committee to forward his nomination to the full Senate.

Thank you, Mr. Chairman.

Chairman THURMOND. The next panel consists of Senator Graham and General Davis. Senator Graham, we will be pleased to hear from you.

STATEMENT OF HON. BOB GRAHAM, A U.S. SENATOR FROM
THE STATE OF FLORIDA

Senator GRAHAM. Mr. Chairman and members of the committee, I appreciate this opportunity to present to the committee a new

Floridian who, I believe you will agree is uniquely qualified to carry out the responsibilities of the Base Realignment and Closure Commission.

We are all aware of what an important round of base realignment 1995 will be, this being the third and final round. It is one in which the Commissioners will face difficult choices, all the easy cuts having been made in the past. They will have the difficult task of selecting among facilities that have already passed rigorous examinations and have continued. They will be looking for those facilities that are the most cost effective, the most militarily sound. They will also be looking for a pattern which will avoid devastation of regions and States, particularly those that have already taken severe cuts. This is a very challenging task.

I can say with confidence that retired Air Force Gen. J.B. Davis is a man who is up to this challenge. He brings with him a distinguished record of military service, an in-depth knowledge of the armed services. General Davis has the unusual distinction of having graduated from the U.S. Naval Academy but having served his career in the U.S. Air Force. With this BRAC round's emphasis on joint servicing, I can think of no better participant in this process than General Davis. He is a living example of joint servicing.

General Davis served a distinguished 35-year career as an Air Force officer. He was a combat fighter pilot, a commander and strategic planner, a programmer. Additionally, his career culminated in his service as Chief of Staff, Supreme Headquarters, Allied Powers Europe with NATO.

Aside from his operational and staff experience, General Davis is well versed and experienced in areas of military intelligence, human resource management, political, military, and international affairs.

Due to the exceptionally difficult nature of this BRAC round, substantial experience and sound analytical abilities will be key assets for any Commissioner on the BRAC Commission. General Davis brings these qualities.

I am confident that he will exercise these attributes to its maximum utility to assist the Commission in making the best decisions possible.

Furthermore, General Davis is a man who has lived in many regions of this great Nation. He was born in Nebraska and throughout his military career, has lived in many communities of America, as well as around the world. We are very honored that he has chosen to retire to the State of Florida where he is making a significant contribution to the civic life of our State.

Again, Mr. Chairman, I thank you for this opportunity to introduce this distinguished American to the committee and urge his confirmation.

Chairman THURMOND. Senator, we are glad to have you with us.

At this time, the Republican Leader, Senator Robert Dole, requested that a statement on behalf of Ms. Steele be included in the record. Without objection, that will be done.

[The prepared statement of Senator Dole follows:]

PREPARED STATEMENT BY SENATOR BOB DOLE

Mr. Chairman, I am pleased to introduce Wendi Lou Steele to this committee. Wendi Steele has been nominated by the President to serve as a commissioner on the Base Closure and Realignment Committee. In my view, Wendi is very well qualified for this position. Her service on the staff of the 1991 Commission has given her unique insight and experience into the deliberations of this difficult, yet important process. And having been through this once before, I commend her willingness to serve again.

Wendi was introduced to me by my friend Senator Nickles for whom she served as a legislative assistant and foreign policy advisor. I was impressed. Her record with Senator Nickles and with the Senate as a whole is to be commended. As the committee knows, Wendi Steele was one of my choices, granted to the majority leader by the public law governing base closure to serve on this Commission. Her service and experience with the Reagan administration, both in the White House and with the Office of Management and Budget, as well as her long time commitment to our national security have impressed me, Senator Nickles, and President Clinton. Her credentials, already presented before the committee speak for themselves.

The job before Wendi Steele and all of the nominees here today will be difficult. Each will be faced with tough decisions that will greatly effect our national security, impact many communities across our country, and directly touch tens of thousands of Americans. They will have to make the tough calls, just as each of us must make tough calls here in the Senate. It won't be easy, it won't be glamorous, it will be hard tedious work. Those who come forward, who offer themselves for such tough duty are special. I appreciate Wendi and all of the nominees here today who have come forward and are willing to take on this difficult task-these are Americans who are willing to make public service, no matter how difficult, a priority.

I have confidence that Wendi Steele has what it takes to make the tough calls, and I commend her to this committee. I urge a vote of confidence by the Armed Services Committee and by the United States Senate.

Chairman THURMOND. Now, if the nominees will all come to the table.

Senator NUNN. Excuse me, Mr. Chairman, may I give a brief statement on behalf of Senator Bingaman, who is on the floor handling an amendment? It is on behalf of Admiral Montoya. It is not a long statement. Senator Bingaman asked me to do this on his behalf.

Chairman THURMOND. Please proceed.

Senator NUNN. "Mr. Chairman, I regret I have been asked by the Senate leadership to offer my amendment to the Balanced Budget Amendment when the Senate opens this morning at 9:30 since it prevents me from being able to introduce Admiral Ben Montoya to the committee.

"I would like to state for the record that Admiral Montoya brings unmatched credentials to the Base Realignment and Closure Commission. For over 31 years, he served in the Navy as a Civil Engineer Corps Officer. He knows the ins and outs of the Navy and Marine Corps base structure and has the planning and analytical skills the Commission will need as it carries out its functions.

"I have known Ben for the last several years in his capacity as President and Chief Executive Officer of Public Service Company of New Mexico. He has brought great management skill to that job and I am sure will serve the best interests of our Nation as a whole on the Commission. I hope the rest of the committee will be as impressed as I am with Admiral Montoya's skills and character and will promptly approve his nomination of the Commission."

I also understand a great feather in his hat is that he went to Georgia Tech.

That last statement was mine and not Senator Bingaman's. Thank you.

OPENING STATEMENT OF HON. STROM THURMOND, U.S.
SENATOR FROM SOUTH CAROLINA

Chairman THURMOND. We are very pleased to have the nominees with us.

This will be the last Commission authorized by the Defense Base Closure and Realignment Act of 1990, and it will bring to a close an unprecedented period of base closures. The fact that these closures are occurring is a tribute to Congress and to many of the members of this committee. As everyone who has had a base closure knows, it is an emotional and painful process, but one that must be pursued, both in the interest of fiscal accountability and economics.

Senator Nunn and I believe that the confirmation of this Base Closure and Realignment Commission is critical. Although the names of these nominees should have been submitted early in January, the Armed Services Committee did not receive them until last Wednesday, February 8, and then only six of the seven required nominations were received. Today is the first practical day that we could schedule the hearing in light of the fact that the necessary nomination paperwork was not received until last Friday. I appreciate our members' tolerance for the short notice and for rearranging their schedules to participate in this hearing.

I want to give advance notice that I may have to leave earlier than anticipated because I also have some scheduling conflicts.

Before introducing the nominees, I want to pay tribute to the two previous Commissions and their Chairman, Jim Courter. They set extremely high standards, both in openness and fairness in their proceedings. The overwhelming defeat of the two resolutions of disapproval that were introduced to overturn their recommended closures is a substantiation of their superb work.

Although the 1995 Commission will have to follow in the footsteps of these two highly successful Commissions, I have no doubt that under the leadership of Senator Alan Dixon it will not only maintain but exceed those standards.

My confidence is further reinforced by the willingness of Mrs. Rebecca Cox, who so ably worked on the 1993 Commission, to serve again despite the task and difficulties of the Commission's undertakings. Mrs. Cox, we welcome you and thank you for your acquiescence to again serve on the Commission.

We are also glad to welcome this morning Gen. James B. Davis, U.S. Air Force retired. During the General's distinguished 35-year career, he served as a combat fighter pilot, commander, and strategic planner. His last duty assignment was as the Chief of Staff, Supreme Allied Headquarters Europe.

Next, Rear Adm. Benjamin Montoya, U.S. Navy retired. Admiral Montoya is currently President and Chief Executive Officer of the Public Service Company of New Mexico.

Next, Mr. S. Lee Kling, a Missouri business executive, who currently serves as Chairman of the Board of Kling Rechter & Company, a merchant banking company.

Next, Mr. Al Cornella, President of Cornella Refrigeration of Rapid City, South Dakota. Mr. Cornella is a Navy veteran with service in Vietnam and has been active in military issues for over a decade.

Next is Mrs. Wendi L. Steele, who served as the Senate liaison for the Defense Base Closure and Realignment Commission in 1991. Mrs. Steele currently resides in Houston, Texas and is a writer.

Again, we welcome all of you and thank you for your willingness to dedicate the next several months to serve on the Base Closure Commission.

In view of the fact that the Secretary of Defense must publish the closure and realignment recommendations no later than March 1, it is important that the Senate consider these nominations expeditiously. It is my hope that we can vote out the nominations no later than this Thursday and that the Senate will consider them at the earliest possible date.

As is the practice, the nominees were provided advance policy questions and their responses have been received and distributed to each committee member. Without objection, I will have both the questions and answers inserted at the end of the hearing record.

Again, I want to welcome all of you here and offer you the opportunity to make an opening statement. We will start with Mrs. Cox who has been through this process before and work down the table. If you do not have anything to say, it will not be counted against you. [Laughter.]

Mrs. Cox, will you please proceed?

STATEMENT OF REBECCA G. COX, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Ms. Cox. Thank you, Mr. Chairman, and thank you for the opportunity to appear before you as a nominee to the Base Closure Commission. I believe this process, as painful as it has been and was personally, is an important one and important to the future of our national defense. So, I consider it an honor to be here once again and I look forward to working with all of you in a fair and impartial manner as we go through the base closure process. Thank you.

STATEMENT OF GEN. JAMES B. DAVIS, UNITED STATES AIR FORCE, RETIRED, OF FLORIDA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

General DAVIS. Mr. Chairman, I have no opening statement other than it is an honor to serve my country once again. Thank you very much.

STATEMENT OF REAR ADM. BENJAMIN F. MONTROYA, UNITED STATES NAVY, RETIRED, OF NEW MEXICO, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Admiral MONTROYA. Mr. Chairman, I am delighted to be here. For me the irony is I retired at the time when a 600-ship Navy was a Navy dream, and now I am back to see the other end of the cycle. But I am delighted to serve and hope to apply my years of experience to this process.

STATEMENT OF S. LEE KLING, OF MISSOURI, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Mr. KLING. Mr. Chairman, I am honored as well to have been nominated to serve on this Commission, and I am honored to be here for your consideration. I certainly understand that as a Commissioner, the openness, fairness, and equality of performing this duty is so important, and I will certainly adhere to that.

STATEMENT OF ALTON W. CORNELLA, OF SOUTH DAKOTA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Mr. CORNELLA. Mr. Chairman, I am grateful for the opportunity to make a brief statement.

Having served on the other side of the process since the 1991 closure round, I have had dozens of opportunities to make public presentations on the closure process. I have always given the highest praise to the integrity of the process, as exhibited in the past rounds. I wish to assure you, Mr. Chairman, and the other members of the committee, that I will conduct myself in a fair and impartial manner. I will recuse myself on the base I worked with in my community and any other installations identified as competitors for that base by the General Counsel of the Closure Commission.

If confirmed, I will be sensitive to the human and economic impacts of the closure process, while at the same time realizing the importance of the military value of the installation.

I am honored to have been asked to serve and, if confirmed, will carry out the duties of a Commissioner in a fair and objective manner. Thank you.

STATEMENT OF WENDI LOUISE STEELE, OF TEXAS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Ms. STEELE. Mr. Chairman and members of the committee, it is really an honor to be before you this morning.

I thank Senator Nickles and Senator Inouye for their confidence in me and their support of my nomination. I also see my fellow Texan, Senator Hutchison, and I want to acknowledge you as well for your kind efforts on behalf of my nomination.

Last I would like to thank my husband, Nick, in advance for his patience since, if confirmed, this will be the third BRAC round in a row where the Commission will see more of me than he will.

Having had the pleasure of being involved with BRAC in 1991 and 1993 when it was under Jim Courter's outstanding leadership, I must tell you that I have tremendous respect for its public process, which was established by this committee. The task before the Commission is neither easy nor popular, yet it is necessary and must be done with integrity.

I look forward to working with Chairman Dixon and the other BRAC Commissioners on what has become the model process for fair and open government. I pledge to each of you on this committee and to the public at large that I will be honest, nonpartisan, and impartial.

I look forward to your questions, and again it is very much a privilege to be here this morning. Thank you.

Chairman THURMOND. A number of ethics and conflicts of interest questions need to be answered by all of you before the end of the hearing. Because I have an obligation I cannot break and will need to leave before the hearing is over, I have asked Senator McCain if he will ask those questions for me toward the end of the hearing. That should allow Senators now in attendance to ask their questions first. Let me begin with some more substantive questions.

Ms. Cox, as I indicated in my opening statement, I have the highest praise for the work of the previous Commission. However, there are always improvements that can be made to the process. What, if any, suggestions can you recommend to Chairman Dixon on the manner in which the 1995 Commission can improve the process?

Ms. COX. Thank you, Senator Thurmond. As you mentioned, the 1993 process was particularly good, and, I thought, well done.

Actually, a number of improvements have been made by Senator Dixon and by this committee as we have gone through the last year, I think, after the 1993 process. The COBRA model has been upgraded, and I think is much more useful to the Commission than it was in the past. We are moving a little bit earlier in the process for the list, which gives the Commission an extra 2 weeks to consider the Defense Department's list before we go through the process of adding alternatives, and I think that is an important part of it. I think those really are the two areas that I thought needed work in 1993, and I am pleased to see that Chairman Dixon and Congress have already moved to work on those two areas.

Chairman THURMOND. General Davis, during the past year, you have served as consultant for the Spectrum Group. Under applicable Office of Government Ethics rules, you must disqualify yourself from matters involving the Spectrum Group unless you receive a waiver based upon a determination that the government's interest in your participation outweighs the concern that a reasonable person might have about the effect of your participation on the integrity of the Commission's activities. What advice have you received from the Commission's General Counsel concerning your past relationship with the Spectrum Group in terms of whether a waiver would be permitted?

General DAVIS. Mr. Chairman, I have conferred with the Commission's General Counsel, and she believes that a waiver would be appropriate. I have severed all relationships with the Spectrum Group as far as BRAC issues, and I did that on January 2 just after I learned on December 30 that I was probably going to be nominated by Mr. Gingrich. I have not participated with any issue since.

Second, when the Secretary of Defense sends forward his list of bases, I think it would be appropriate then once again to review the issue as far as recusal or complete separation.

Chairman THURMOND. Mr. Cornella and Mr. Kling, as businessmen would you give me your personal views on what weight the Commission should give to the combined economic impacts of the

downturn in the defense industry and base closure on a community or State?

Mr. KLING. Mr. Chairman, the subject of the selection criteria, I think, sets forth in a fairly clear and understandable basis that the military considerations are certainly the primary considerations to be taken and that certainly after that, the economic issues and their effect on a community are most important. I think that that has to be addressed in a very open, fair, and equitable manner, and all the time given to that process.

Mr. CORNELLA. I also believe they should be taken into consideration, at the same time giving full consideration of the military value. The economic impact falls under criterion number six, I believe, and the military value should still take precedence over that, although the community should be given the full opportunity to make their concerns known about that impact.

Chairman THURMOND. Admiral Montoya, recently there have been a series of reports which implied that the services are not totally eliminating their facilities recommended for closure by the Base Closure Commission. In your view, what latitude does the Department of Defense have in complying with the Commission's recommendations?

Admiral MONTOYA. I missed the first part of your question, Senator.

Chairman THURMOND. Recently, there have been a series of reports which implied that the services are not totally eliminating their facilities recommended for closure by the Base Closure Commission. In your view, what latitude does the Department of Defense have in complying with the Commission's recommendations?

Admiral MONTOYA. It has been my experience, while I was in the Navy and then in the private sector, that there are some bases around areas where I have lived where the Department of Defense has complied and rather rapidly. I speak of Sacramento specifically.

I think that when one goes through this process and the Commission's recommendations are accepted by the President and Congress, that essentially that becomes a force of law and the Department of Defense should proceed with those orders, if you will, post-haste. So, I believe that actions ought to be taken to follow through on the ultimate decision of Congress.

Chairman THURMOND. Ms. Steele, as a former Commission staff member, you are aware that the 1991 Commission was criticized for relying too much on active duty military personnel for staff. Congress has subsequently limited the number and role of military personnel on the Commission's staff.

If you are confirmed as a member of the Commission, what restrictions, if any, do you believe should be placed on the role of military personnel on the Commission?

Ms. STEELE. Mr. Chairman, I think that the amendments that have been made to the BRAC statute have been very effective just as they were written, and I am sure all of us plan to comply with that law. That has addressed the problem very effectively.

Chairman THURMOND. I believe my time for questioning is up. Senator Nunn.

Senator NUNN. Thank you, Mr. Chairman. I know Senator McCain is going to go into the conflict of interest questions, and I will not ask those this morning. Having been through this procedure two or three times as chairman of the committee, I think this is one of the most difficult areas. I see we are getting articles about it in the paper. I think everybody ought to understand, including members of the news media, that if we picked a Commission that had no connection with any base in the United States, we would be going to Europe or Japan for that Commission. We would not be recommending Americans. You cannot do it by definition.

Now, you cannot establish whether someone has a conflict of interest or not, until you get the list of base closure recommendations from the Secretary of Defense by march 1. Then every member, working with the Commission's General Counsel, the Department of Defense General Counsel, and the Office of Government Ethics, will make a determination whether there is a base that causes a particular Commissioner, or Commissioners, to have a conflict of interest.

There is another critical juncture here. Once the Department of Defense's list of recommendations comes out on March 1, the Commission will examine the list and determine whether to add bases to the Department of Defense list. That will be another juncture at which the Department of Defense General Counsel, the Commission's General Counsel, and the Office of Government Ethics will have to work with the Commissioners to make those kinds of difficult conflict of interest decisions. The Committee on Armed Services will be informed on each step of that process. That is the way the process works.

This is not something that you can judge in advance. It is going to be up to the Commissioners to alert the General Counsel of the Commission and the Department of Defense of any kind of conflict and to examine their own conscience.

We have a short-term Commission here. To expect all of these people to give up all relationships they have financially for 8 months and to start over in the world financially is unrealistic. We have to have a balance here and we have to have good judgment. I am confident we will be able to handle that.

So, that is the way it has worked in the past, and I think, that is the way it is going to have to work now. By definition, we could not get a Commission if we had one that had no remote interest, indirect or direct, in any military base in the country.

I would like to ask Mrs. Cox a question. Would you share with the other nominees what advice you would give them as they go into this process. I know you have been through it, and you are back here willing to serve again, which is very commendable. Do you have anything that you would point out to this committee and to your prospective Commissioners that they need to keep in mind?

Ms. Cox. Well, I know that they will have all committed to this, but I think one of the things that I learned from the last Commission is how important a role the communities play in this process. While we get the list from the Department of Defense, and obviously a lot of information from the Department of Defense, even our BRAC staff, as good as they are, cannot go through every detail in as much detail as we would like them to do. So, I would urge

them—and I know they will—to spend as much time as possible with the communities and at the bases to get as much information as possible before we make any decisions affecting both our national defense and that community.

Senator NUNN. General Davis, I know you have had a very long and distinguished Air Force career. Have you had any connection in your Air Force role with the base closing process, or were your jobs outside those areas?

General DAVIS. Senator Nunn, from 1988 to 1993, I was out of the country. So, I did not have to suffer through the base closings, and I was first stationed in Japan as the U.S. Forces Command in Japan and also Chief of Staff of SHAPE, so I did not partake in the process at all.

Senator NUNN. Admiral Montoya, did you have direct connection with any of the base closing process during your Navy career?

Admiral MONTOYA. Senator, I did. In 1987 I became Chief of the Navy Civil Engineer Corps and before that I was the Senior Engineer in the Pentagon to Admiral Prost. So, I was involved in the formation really of the BRAC process from within the Navy from 1988 to 1989. I was there at the beginning and retired in 1989, I am familiar with the process from that side of the fence, Senator.

Senator NUNN. I know that all of you have considered the question, or will consider it as you undertake your duties, of how you measure the total cost of base closure and realignment and particularly the cost of closing a base to other Federal agencies other than Department of Defense. This is one of the most difficult areas because a lot of that cost data is not available.

The question arises if you have partial data of how much it is going to cost the Housing and Urban Development or the Department of Education if a military base closes. Do you consider that data that is only partial, or do you take all the data that is not directly attributable to the Department of Defense and toss it out the window?

Ms. Cox, do you have any thoughts on that or how we can be consistent in this? Because if the data is available for one base but not available for the other, we have a double standard. How do you suggest that be handled?

Ms. COX. Well, as you mentioned, that is a difficult process because you do want to treat everybody evenly. I do not believe that we are going to have the data available to do that.

However, I do think even if we only have partial information, while it obviously cannot be a determining factor in whether we close or do not close a base, that we would be remiss if we do not try to get at least all of the information we can get and consider that as part of many factors when we look at base closures. I think sticking our heads in the sand that there will be other costs, even if they are not included in the model on which we will make a final decision, would be unfortunate.

Senator NUNN. Consistency here is going to be important.

Ms. COX. Consistency is very important.

Senator NUNN. That is the challenge.

Chairman THURMOND. Senator, this noise is very disturbing. We have taken some action to see if we can stop that, but you may proceed.

Senator NUNN. Thank you, Mr. Chairman. Let me turn to another area that is difficult to handle. I do not have a clear answer to this, but I know that Ms. Cox, having been through this, may have something to say. What happens if the Commission looks at the March 1 recommendations, examines those, and then says we are going to look at this base, Base number A, that the Secretary of Defense has recommended for closure. We really ought to look at B, C, D, and E that are similar bases around the country. In the 1993 round we got down to June 1, there were 70 new bases put on the list for consideration. Well, there are 70 communities that were going through immediate shock, and many of them were not prepared.

Now, I do not know how you handle that because you do need points of reference, and you need points of comparison. I hope you keep in mind that when you put 70 bases on the list, for the next 60 days the economic activity in those areas is stopped. Those communities have not had as long a time to prepare to defend their own economic and worthy base considerations.

I do not know whether you have any clear answers to that or not. Ms. Cox, do you have any thoughts on that?

Ms. COX. Well, I know this has been a huge problem for many communities. I would commend Chairman Dixon on a couple of steps he has taken so far. One, working with the Department of Defense to try to get more information up front about why they picked a particular base and how it compares to other bases.

Senator NUNN. You can see what they went through.

Ms. COX. Exactly. Frankly, one of the things that happened to us last time when we added 70-some bases to the list was that we felt we had no information on how they got to where they got on a particular base, and that the only way we could compare it and get that information was to add it to the list.

I think it is very helpful that Chairman Dixon and you all have worked with the Department of Defense to ask them to really bring that to us as part of their recommendation. So, we will start out with a larger base of knowledge than we have.

The other thing that the staff and Chairman Dixon have done is to at least move up, by approximately a week, the date on which we will consider adds. I realize a week does not help a lot, but probably every week, as far as these communities are concerned, is helpful. That would give them a little bit more time. As I mentioned earlier, because the list is coming up 2 weeks earlier, again, I think it gives us more time to make a reasoned decision about what kind of adds we want to put on. Obviously, we are going to have to look at some alternatives, but I would hope, as I know everyone would, that we could keep that list to the minimum that allows us to make a good decision in the final outcome.

Senator NUNN. Thank you very much. Mr. Chairman, my time has expired.

Chairman THURMOND. At this time, I want to say that I understand the only family members of these nominees who are present here today are Ms. Steele's mother, Ms. Vicki Petsinger, and her husband, Nick Steele. I would like them to stand and be recognized.

If there are any other family members, would you stand? I believe that is all. Thank you very much. Senator Cohen.

Senator COHEN. Thank you, Mr. Chairman. There were only two opening statements made. I think all of you took the admonition of the Chairman that if you did not give a statement, it would not be held against you. But, Mr. Cornella, Mrs. Steele, you each gave a brief statement. Did any of you have to submit a statement to any department of the executive branch for clearance, approval, disapproval? Ms. Steele.

Ms. STEELE. I am sorry, Senator. Your question?

Senator COHEN. Did you have to submit a prepared statement for clearance by the executive branch?

Ms. STEELE. Oh, no, not at all. In fact, I was hoping giving one would not be held against me. [Laughter.]

Senator COHEN. I am trying to clear that up. We discovered recently that the CINCs, when they came to testify in the past, had their statements obviously cleared by the Department of Defense, as well as the Office of Management and Budget. We also learned a new layer of clearance was now the National Security Council. So, we are just wondering if you had to go through any of that process.

Could I ask Mrs. Cox, and perhaps quickly down the line, what weight do you as Commissioners give to the recommendations of the Department? Obviously, the Department of Defense will have made a study of a year or longer, making its analysis, or the individual services' making their analyses, of which bases should remain open or closed. They take about a year, 18 months to do that. You come in in a very short period of time, and we say here is the ball, now you tell us, as an independent Commission, exactly what you think should be done.

Do you give the Department of Defense the benefit of the doubt initially? Namely, they have made their decision. You then look at their recommendations with initially a favorable eye unless you see evidence that would warrant a contrary conclusion. Is that how you see your job as a Commissioner?

Ms. COX. One, I think we have to give the Department of Defense an enormous weight just because that is the appropriate thing to do and also because the statute is very clear that the Department of Defense's recommendations should go forward unless they substantially deviate from the Department and the regulatory criteria. So, as a practical matter, obviously, the Department of Defense's decisions have to be given the preponderance of the doubt, not just the benefit of the doubt.

Senator COHEN. I would assume that all of you would share that view as expressed by Mrs. Cox.

I would like to direct a question to you, Admiral Montoya. You said that you were in the service at the time when the 600-ship Navy was a dream, and then you very artfully, or politically, I might say, as one of us might do, say that you are now at the other end of the system or looking at the other end of the system, which some of us might describe as the nightmare as opposed to the dream that you once were a part of.

The Navy has issued its particular specifications of selection criteria pointing to military value. So, I would ask you as a retired

Navy man that when the Navy talks about the relevant data to evaluate and distinguish between and among various facilities, whether or not that would include in your judgment whether a facility has a modern dock facility, new derricks and cranes, whether that would include past and prospective performances of the yard in terms of its work force in carrying out and executing its mission, whether the yard would be able to support future ship maintenance and modernization, and also the proportion of the various classes of ships that might be expected to constitute the fleet of the future.

For example, submarines, something I have an interest in. Submarines will constitute anywhere from 13 to roughly 17 percent of the Navy's fleet in the years to come, and yet the repair work for the Navy, just the repair on the submarine and the overhaul, will constitute 58.8 percent. Are those the kinds of relevant factors that you would look at in making a determination when looking at naval facilities?

Admiral MONTROYA. Senator, I believe you have touched on a number of very important factors. The Navy—as well as the other services—is a very complex organization, and one begins the inquiry with looking at force structure. I think in that area you grant almost total deference to the Secretary of Defense and the heads of the Navy who are planning a Navy of the future based upon how they view the world. From there, you then look to the shore establishment and you do ask the questions whether or not the bases that they propose to close purport to demonstrate a balance with their view of force structure, and that means the mix of various types of ships.

I also know enough about the Navy to understand that the number of ships that it owns, and the number of places the Navy has the mission to patrol, has some relationship to operational tempo. Operational tempo has a tremendous impact on personnel. When you have great impacts on personnel, it affects retention. When you affect retention, you affect training. So, those are all things that I cannot help but set aside because of my Navy career.

I also understand the need for industrial capacity for the future and the fact that there is some danger in letting some very highly skilled people die on the vine, if you will, or have major facilities that have a future in our Navy collapse for lack of use. So, I do understand those things.

But ultimately, the Secretary of Defense in his view of the world, I think, has to have great deference.

Senator COHEN. If I could, each of you were asked the question about the cumulative or proportionate economic impact. That is, in fact, one of the criteria established by law. Obviously, military value is the most important criteria, but economic considerations are also important in the law. In the past, the Department of Defense has not been particularly sensitive to that consideration. I might say that Secretary Perry, however, has indicated that he is very much aware of the cumulative impact that the base closures have had and has indicated at least to a number of us that he intends to give that serious consideration.

In each of your responses, I think you all indicated that you would take that into account. While it is not a primary factor, it

nonetheless is an important one. I think you all can say yes for the record on that.

Also with respect to environmental cleanup, I think Senator Nunn just touched upon that very quickly. I noticed in going through, General Davis, you indicated whether a base is closed or not, the environmental contamination has to be cleaned up. The cost of cleanup is a factor which the Commission should be aware of but not be a determining factor.

Ideally, that is the correct answer. Whether or not a base is open or closed, environmental laws should be enforced. As a practical matter, that is not done, however. In other words, when a base is in operation, it does not necessarily spend the money to clean up the material that is required to be cleaned up. But once a base is closed, then a community, if it has to develop that base, really does not have any option. It has to be cleaned up at that particular time.

I can only point from past experience that we have Loring Air Force Base which was closed in the past BRAC process. The economic costs involved—the environmental cleanup involved—really may put such a burden on the community, it may have to give it back to the Air Force. In other words, it cannot be developed. So, even though the costs may be the same, ultimately those costs are not necessarily being undertaken while the base is open. When it is closed, then the property, for all practical purposes, cannot be developed unless the money is spent to do that.

But I just hope that all of you would take that into account in evaluating the economic consequences to a community in terms of its environmental obligations as well.

One final point. Community support. We spoke with the Chairman of the Commission recently and he indicated that community support is very important. I might point out it is a matter of some concern to some of the smaller communities, if they have to compete with some of the larger communities, who can raise the most amount of money to put together the best possible public relations campaign, who can turn out the most tens of thousands of people in support.

Chairman Dixon indicated that community support is obviously an important factor to take into account. But once again, I hope you, as Commissioners, will weigh the relative ability of communities who are perhaps small in nature and not able to mount the kind of public effort that might make an impression on each of you, if you would take that into account.

Thank you, Mr. Chairman. My time is up.

Chairman THURMOND. Thank you, Senator. Senator Kennedy.

Senator KENNEDY. Thank you, Mr. Chairman. I am sorry that I was not here at the earlier exchange. I hope we will not be going over old ground.

I want to, first of all, congratulate all of you and also, as I am sure has been expressed earlier, empathize with you as well. I think that over this period, the next weeks and days, you are going to be inundated and bombarded with different information and facts and opinions. To try to sift your way through this is an enormous challenge, and it is a tough and difficult job.

I think all of us on the committee particularly are very mindful of the people whose lives you are going to be affecting. Obviously, we are driven by what is in the national security interests. We see the change in the world. It is a different world but it certainly has its danger, and we know that there is going to have to be a new defense posture that is going to be able to reflect those changes. It is going to be men and women with the best in terms of technology and weapons that are highly trained, highly disciplined, well led, highly motivated individuals. It is going to be with the best in terms of communication and other factors. So, it is a changed and altered world.

The men and women who will be impacted by your decisions have been belt-tightening and serving the country extremely well over a long and difficult period. That makes it an extraordinarily difficult challenge because, on the one hand, we are going to have to see the changes in the defense posture and the bases and this is going to have some real impact on those who have really served the country well in the service as well as in the support services. They deserve the best judgment which all of you are going to give. I think all of us have a great sense of empathy for those men and women in the service and otherwise whose lives are going to be affected by this judgment and decision.

I would just mention two points. One is that I understand from the responses—well, let me raise one other point first that I understand has not been brought up and which I think is important, and that is really the change in the standing of the services in terms of the Active and the Reserve forces.

As we move on into a different kind of formulation, particularly with regard to personnel, the reserves have a very important element. I think it has been a general kind of sense as a policy matter that we want to be able to have access and availability of their participation in national security. You have a number of enormously talented men and women who are proud of the service and who welcome the opportunity of continuing service and also have selected other kinds of careers. Having their availability and their skills available to the national security is something which is enormously important.

And we find out that the services are in a different framework in terms of how they view the reserve issues and all. I do not know whether you have given that some consideration as you are looking at the various kinds of bases because in some areas bases will be more related to active duty kind of involvement. In other situations, they may be most valuable because of the Reserve component and involvement. I would welcome, starting with you, Ms. Cox, if you might speak to that issue briefly and maybe the others who have given that some thought might make a brief comment.

Ms. COX. I think you make a very good point. It is easy as a Commissioner in dealing with the Defense Department to focus more on the active duty component of the military because that is very much where the costs are involved as far as the Defense Department is concerned. So, I do not have a comment other than to say I appreciate your bringing that up and I think it is an admonition for all of us to make sure we do look at both components of

a military base. The reserves are very important on many of these bases.

General DAVIS. Senator, I would agree with Ms. Cox. As you know, at the risk of preaching to the choir, since 1990 we have come down \$1.7 million in both defense and defense contractors and some 800,000 active duty military personnel. Some went in the reserves, but the reserves came down by about 150,000 also. So, we have to very carefully consider strategic use of bases and facilities to make sure that we can meet our national requirements.

Senator KENNEDY. Well, I appreciate that. As I look through the criteria that are out there—and they list the criteria. We have all looked those over. Also the fact that you are getting out—and as you all know from your enormously successful careers, both in the military and outside, that it is not just these facts. It is real people. I imagine that military leaders, when they are looking finally and ultimately at reserve units, are looking at what they call the manning issue. We need people. We need them now. We need them today. They better be well-trained. They better be well-disciplined. They ought to be ready to go.

Well, that issue may be one of six or eight out there, but when you look through and you start allocating different kind of criteria or weight to different parts, you find out that some of these just come out at you. I think they come out at you as you visit some of these places and understand the real strengths and listen to the people in those local communities. I know you will but it is something that I have been impressed by as I have moved around in different kinds of bases.

Let me just mention one other point and obviously it is not the top point. Those points have been talked about. But also, the impact on various areas. You are going to come into situations. I can remember a number of years ago when there was a question of whether they would close the Boston Navy Yard or the New York Navy Yard. My brother Bob was the Senator from New York and I was Senator from Massachusetts. Secretary McNamara was faced with those. It ended up with both of them being closed. [Laughter.]

But at the time he knew it was good sense and made the judgment about which was going to have the least impact in terms of general economic and particularly on the issue of employment in that community. I think when they were able to come on down in considering all the national security issues, it really came on down to a very, very close decision.

I understand that this is going to have to be made on the judgments of what is in the interest of national security. However, I hope that as you are looking over the impact on these bases, you also take into consideration the other kinds of cutbacks in defense spending in particular areas as well that have had a dampening impact in terms of the whole climate and atmosphere. I know that that is mentioned in the questionnaire and I think all have responded positively that you would take that into consideration. But that has some real impact about whether people are going to be able to find any kind of employment and find any kind of a future.

Just a final point I would say, Mr. Chairman. I want to pay tribute to the Department of Defense, and they have closed bases in all of our places. The attentiveness of the Defense Department in

working with local communities I think has been something which has been enormously impressive to me. That was true in the previous administration and continues in this one. That does not do a lot of good for people whose bases are closed down or phased out, but it is a point that I think ought to be at this hearing just mentioned because they deserve credit. Thank you.

Chairman THURMOND. Under the early bird rule, Senator Inhofe is next.

Senator INHOFE. Thank you, Mr. Chairman. I understand there is a vote in progress, so I will make this fairly quick.

One of the problems that we are faced with is the perception of the injection of politics into the process. I do not have a problem with that at all. I do not believe that is there, but everywhere I go, it is an assumption that there is something out there, political decisions are going to be made.

Chairman THURMOND. Senator, let me make an announcement. Senator McCain is going to vote. He will be back in just a minute or two. Since this hearing falls in the area of his subcommittee, I have asked him to take this hearing for the balance of this time. So, he will take over when he comes back.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman THURMOND. If you find that you need to leave in order not to miss the vote, just call for a recess.

Senator INHOFE. All right, fine. I would just like to get a couple of questions out of the way.

First of all, Senator Cohen asked Mrs. Cox a question that I was going to ask and that is the weight. As I look at the first four criteria, it would appear to me the recommendation of the services should weigh heavily in your consideration of those four criteria. Mrs. Cox answered her question that way. How about the other five of you? What weight would you put on the recommendation of the services in terms of the first four criteria?

General DAVIS. Well, Senator, I agree. The Department of Defense has been working this almost since the last BRAC, if you will, and certainly since last summer. It is their force structure plan off which they are operating that we will then examine when we get the bases. So, we must give that considerable weight in the process and measure it against what they set out as their own goals.

Senator INHOFE. Do you all pretty much agree with that?

Admiral MONTOYA. I concur in that.

Senator INHOFE. The second thing is criterion number 7. I often thought it should have been worded a little bit differently, but they did not ask me at the time, and that is the ability of both the existing and potential receiving communities' infrastructure to support forces, missions, and personnel. I think they should have said the ability and willingness. I know there is quite a difference from community to community—and I have visited many of them and you might guess which ones I am thinking of—where they have made tremendous contributions to the military in terms of housing and infrastructure and roads. I would like to know how high, in looking at all the criteria, you would place this in your priority system in making your evaluations and recommendations. Ms. Steele.

Ms. STEELE. Senator, it can play, in a sense, into the military value factors as well when you look at certain quality of life type issues. So, there are ways that that can be compared and measured.

The flip side of that is you have to be cautious because a lot of those comparisons are a little subjective, things like climate. People have very different opinions of how that affects quality of life. But I think the criteria are broad enough to take that into consideration.

Mr. CORNELLA. Senator, as a community person, I too would like to see that moved up a little bit, but I am sure there are probably military installations in places where we really need them that the communities may not care to have them. So, it still in my mind would probably have to fall below the top four.

Mr. KLING. Senator, I happen to agree with that. At the same time, I do recognize that we have to have a balance, and we have to be fair in our understanding and look very thoroughly at all these aspects, but I have to agree.

Senator INHOFE. Thank you. The last thing I would just mention is I would hope you would give a great consideration as to the real purpose of this is to effect savings and to look at those bases. Some bases I suppose you could close and it really would not effect much in the way of savings.

I look forward to working with you. Thank you. The Chairman is gone. We have 2 minutes left on a vote. We will recess. [Recess.]

Senator COHEN [presiding]. The committee will come to order. Would the nominees please resume your seats? Senator Santorum.

Senator SANTORUM. Thank you, Mr. Chairman. I'm sorry for all of you having to tilt your necks over here. It is reflective of my junior status.

You received a list of questions in which one of the questions discussed the Cross-Servicing Team that was going to be put together by the BRAC staff. For elucidation, can you tell me how that will work? Is this going to be a staff-only team? Is it staff and members of the Commission who are going to work in a separate team to look at cross-servicing issues? Can anyone answer that for me?

General DAVIS. Senator, I think—and I may have misunderstood what you are looking for, but there are joint teams for hospitals, UPT bases, and depots. That is an Office of the Secretary of Defense with service participation. We have had no contact obviously with it.

Senator SANTORUM. Are you going to be looking at that issue in particular as you analyze the bases? Cross-servicing is something that one of our depots in Pennsylvania is doing and we have gotten nothing but good comments about how this seems to be the wave of the future. I was wondering if you have anything within your structure that is going to be looking particularly at that or is this something that is going to be done at the Office of the Secretary of Defense?

Ms. COX. Senator, Congress, as you know, asked the Department of Defense to look very closely at cross-servicing issues when they made their recommendations to the Base Closure Commission, and I think many of us are hopeful that a lot of work has been done

and that we will be able to simply work with the Department of Defense data that comes forward.

However, in addition, Chairman Dixon has set up separately at the Base Closure Commission a team which will specifically look at cross-servicing issues whether or not we get them from the Department of Defense. It is an area that I know I am very interested in, and others on the Commission have expressed an interest.

Senator SANTORUM. That is my question. This team set up at the Commission, is that a staff team or will the Commissioners break out into small groups? How does that work?

Ms. COX. It is a staff team that has been set up. We already have an Army team, a Navy team, and an Air Force team, separate service teams, but this is a new team specifically focused on cross-servicing that would be set up so that we do not have everything broken down by services. We have a group of staff who will be looking at how we might combine some of those services. I think all of the Commissioners—I hope all of the Commissioners—will be involved in that process, but having the specific staff that is set up to do that will help us get the information from both the Department of Defense and outside to allow us to seriously look at some cross-servicing areas.

Senator SANTORUM. Do you see an increased emphasis on that in this BRAC as opposed to past BRAC rounds?

Ms. COX. This is the first time the BRAC has had a staff team that dealt with it and, of course, the first time that Congress specifically has asked the Department of Defense to look at this area. So, yes, I would think this year particularly there will be more interest in and more emphasis on cross-servicing than there has been in the past.

Ms. STEELE. Senator, in addition to that, I know that the guidance that was given within the Department of Defense heavily stressed cross-servicing issues where it made sense.

Senator SANTORUM. Thank you very much, Mr. Chairman. I will let the chairman now proceed with his questions.

Senator MCCAIN [presiding]. Senator Cohen, I believe you had some follow-up questions. Please proceed. I was going to wait until Senator Nunn was here to ask the standard conflict of interest questions. So, if you would like to proceed.

Senator COHEN. I think I have perhaps asked all the questions I want to ask of this group right now.

I might perhaps pose a question to each of you in terms of your willingness as individual members. Obviously, you will be called upon to make visits to various facilities. I think that the rule will be at least one or two. Is that correct, Mrs. Cox?

Ms. COX. Yes. As I understand it, the chairman has committed—and we are certainly all committed—to visiting all of the major facilities, and I know there will be at least one Commissioner at each of the facilities, and I suspect, given the level of interest, several at many of the facilities.

Senator COHEN. Is it going to be the policy of the Commission to meet with individual congressional delegations? In other words, each congressional delegation obviously will want to make a semi-private presentation to the Commission, and that has been the practice in the past where Members of Congress will ask either one

or two or as many as possible of the Commissioners to meet with them so they can put their best case forward if it becomes necessary during the course of the proceedings.

Ms. COX. I think each of the Commissioners would have to answer that. Certainly from my perspective I found the meetings with Members of Congress to be extremely helpful in the process and I hope that we will have an opportunity to do that this time.

Senator COHEN. Part of the difficulty is you are going to be overwhelmed with information, and each congressional delegation obviously is going to want to make its best case to you because of the tremendous pressure and competition and compression of time. I would hope that that would be a policy that would be continued to the best that you can do so.

Mrs. Steele, I had a question of you. You indicated you were a writer. Would you care to tell us what you write about?

Ms. STEELE. Truthfully, there are four different proposals I am working on right now.

Senator COHEN. Please do not call it Murder in the Senate. [Laughter.]

Ms. STEELE. Please do not give me material to write about. [Laughter.]

Senator HUTCHISON. At least do not make it the woman Senator that gets murdered like my colleague, Mr. Cohen, did. [Laughter.]

Ms. STEELE. I have a contract without a royalty to do a book on political leadership targeted at an age group of between 20 and 30 something. That is the one that is getting the most promising reviews. Trying to be a writer is mostly a lesson in humility as you get serious rejection slips.

Senator COHEN. I understand that. Thank you, Mr. Chairman. That is all I have for now.

Senator MCCAIN. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman. I apologize for having to go vote like others, and I had another meeting with my senior colleague from Virginia who was here a little earlier as well on BRAC related matters.

First of all, welcome to all of the prospective members of BRAC 1995. I suspect that everyone who greeted you earlier had suggested that your popularity will be intense for a short period, followed by the final report, after which you will be virtually pariahs with respect to almost anyone who you may have displeased. But you have accepted that particular facet of your assignment knowingly I assume at this point, and I suspect it has been commented on by a number of others.

I would just like to ask that as you complete your mission, that you look at your responsibilities from a Department of Defense or U.S. perspective. That sounds like a fairly simple thing, and I know everyone will say that is obviously what we are here for. But I have discovered in prior rounds with BRAC that the services may have particular approaches that seem to be appropriate and indeed, if you looked at the particular challenge that confronts the Commission from a single-service perspective, the service solution may make sense, whereas if you looked at from a Department of Defense or U.S. perspective, there may be a different result. In-

deed, part of a meeting this morning related to that particular type of a disconnect.

So, I would ask that the individual members of BRAC 1995, as you review the work and the individual service selections that will be brought to you ultimately, as the combined product, if there is information that is not entirely consistent with the service view, but is consistent with the broader view of the Department of Defense readiness, as well as the taxpayer concerns, that you would reflect that ultimate portion of the equation in your deliberations.

I know that you have all made statements with respect to your recusal of matters in which you might either have or be perceived to have a direct interest, and I know that you accept what is a very important assignment seriously. All of us look forward to working with you.

Unless there is anyone who has any specific reservations about my comment about which perspective ultimately ought to control, I do not have an additional question for you at this time, but I do look forward to working with you. Mr. Chairman, I will yield at this point.

Senator MCCAIN. Thank you, Senator Robb. Senator Smith.

Senator SMITH. Thank you, Mr. Chairman. General Davis, an obvious question which is probably unrelated to the whole process. How did you get from the Naval Academy to become a General in the Air Force?

General DAVIS. Sir, I graduated with the Senator and my good friend, Ben Montoya, a year before the Air Force Academy produced anybody. So, they took 25 percent of both the Naval Academy and West Point and augmented their regular officer corps. I was one of the volunteers that went across because of flying opportunities.

Senator MCCAIN. Admiral Montoya and I also tried that, but our parents were married. [Laughter.]

Senator SMITH. Admiral Montoya, in your opening statement you mentioned the decline of naval ships from the 600-ship Navy down to 300 to 350 ships. Would you agree that once you take down the infrastructure to support the Navy, to whatever level you take it down, that it would be very difficult, if not impossible, to put that infrastructure back as it relates to shipyards, especially nuclear shipyards?

Admiral MONTROYA. Without question, Senator. I had the experience, again while I was in active duty, in trying to return the Navy to Newport. You recall we closed that in the early 1960s and the community had readjusted to not having the Navy in Newport. They had a new life there. So, when we chose to return, it became very difficult not only from the point of view from rehabilitating and resurrecting facilities, but from the community's perspective.

I also was involved in closing the Hunter's Point Naval Shipyard in the early 1970s when I was on the west coast and then tried to reopen that shipyard as a home port during the days of the growth of the Navy. That became a very difficult proposition. As a matter of fact, Hunter's Point dropped off the Navy's plans.

So, the answer is yes. Unless you have a base that is fully active and being serviced, you close it down, it goes to seed, so to speak, in a hurry, and it is very difficult.

Senator SMITH. You have addressed one of the difficulties in taking down infrastructure overall because projecting into the future, and being able to project into the future, is pretty difficult for most of us.

That leads me into the next question I would like to ask to each of the new members. I can give Mrs. Cox a bye on this or she can answer if she wants.

We started the BRAC round in 1988 and three rounds have gone by. This is the fourth. So many things have happened from the dissolution of the Soviet Union, to the Berlin Wall coming down. The threat now is changing into a multilateral threat around the world, and all of these things have happened as we began the first BRAC round and as we went through the following two and now into the fourth.

Given all that, how do you feel about stepping in at this late hour? You now have approximately 3 months before you have to make a recommendation to the President of the United States. How do you feel about being able to catch up on the curve, so to speak?

Do not misunderstand me. I understand you all have background in one way or another relating to this subject, but in terms of the threat, it is very difficult, frankly, for all of us as Senators, and I am sure even the Defense Department, to stay up on this to know just what the threat ought to be, where it is changing. Now here you are in a position in 3 months, just now being nominated and being approved for the Commission, to make decisions which may impact the United States for many years and decades to come.

I would like each of the five of you to respond on that point if you would, starting with General Davis.

General DAVIS. Senator Smith, it scares me silly, frankly. There is going to be a lot of good data available both from the Department of Defense and from the congressional staff of the States and cities that are involved, and plus we will get a lot of good data from the communities. To make sure that we assimilate all that data in a very short period of time worries me, but we will just have to do what we can to make sure that we can get it done and come up with the best decision possible based on the best information we have.

Admiral MONTROYA. Senator, I am not so sure that making the decision the way we are going to might not be the right way because this is the kind of an issue that if one studied it for 2 years, when 2 years were over, the world would have changed again one direction or the other, and you still might be wrong.

So, I think it is something that you take on faith that our leaders have some projection of what the world might look like, what the other side is thinking or might do or their capability to do something and how fast they can do it. Taking that into account, presented to us, then I think we make choices regarding the shore establishment based upon that faith that our leaders understand the world and where they think the world is going to go. But this is a tough process, and I think that doing it intensely and doing it quickly is probably the best answer.

Mr. KLING. Senator, I think that the curve is probably changing, as you say, very quickly, and I doubt if any of us can really follow

how fast it is going to take place. Planning for the unexpected and the contingency factors certainly is a major issue that needs to be addressed. I would have to believe and hope that the Secretary of Defense is taking that into major consideration in the list of the ones presented to us. We do have a very short time. It is very difficult, and I guess the only answer is you work harder and faster and smarter than we normally do to try to get the job done.

Mr. CORNELLA. I will depend on the Department of Defense, the affected communities, the Commission staff, and my fellow Commissioners in order to help make the right decisions. I think we can do that.

Ms. STEELE. Senator, having observed the process in the last two rounds, I know the pace is very fast and the amount of data appears somewhat overwhelming at times observing the Commissioners in the past, but the work product that came out of those Commissions, I think, was a very quality work product. I do not have any doubt, especially given the amendments to the law and the additional flexibilities for the Commission, that we will be able to handle the task fairly.

Senator SMITH. I would just make one final observation, Mr. Chairman, and yield back if I have any time left. There have been some comments in the newspapers today regarding conflicts of interest. I think Senator Nunn addressed that fairly well.

I think one of the reasons why you are all there is because we up here refused to deal with this issue because we all had our own conflicts of interest. I do have some concerns when members have to disqualify themselves from consideration of a particular installation because of some contact to it, because I think we lose your expertise, not because I think we lose your objectivity. So, I am concerned about that, but other than that—I am speaking probably for most of my colleagues—we are grateful that you are doing it because that is why the Commission was formed in the first place. So, we thank you for taking on a task that is pretty ugly. Thank you.

Senator MCCAIN. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman. Let me welcome all of our witnesses, our Commissioners-to-be, and thank them for their service, past and future. I know how tough a job it is because I helped make it tough. I know the pain because we have had tremendous pain in my State. I think we are one of the hardest hit in the three rounds of base closings. We are, I think, in the top five.

That raises one of the questions which I think has been presented to you in each of your questionnaires, and I want to just ask it to you here as well, and that is the question of cumulative impact.

The way I read that test—and I know it is not the first principle. Military utility is the first principle, but in the process you are required by law to look at the cumulative impact on communities. Again, as one of the States that has been hardest hit, we are obviously interested in that. We have lost all of our SAC bases. We have nothing left there. We have very little left, but what we have left is precious to us like it is to other States.

Some States have actually gained personnel overall, by the way, through these processes. It may be hard to believe, but you will be looking at those numbers. Some of you are familiar with them because of your past participation. There are quite a few States, I think 15, that have actually gained overall in personnel following three rounds of base closings, while other States have been severely impacted.

The question is, do you understand that to the extent that you give weight to the cumulative impact of base closings, that you are able to look at the impact on the State, not just on a narrow community? Ms. Cox.

Ms. COX. Yes. I think that the criteria is very broad. It allows us to look at the impact on the State of previous closures, as well as the particular closures before the Commission, and it certainly allows us to look at the entire State or region in some cases which may be affecting several States.

Senator LEVIN. Thank you. General, do you agree with that?

General DAVIS. Yes, sir. I agree.

Admiral MONTROYA. I fully agree with that, Senator.

Senator LEVIN. Mr. Kling.

Mr. KLING. Absolutely.

Mr. CORNELLA. Yes, sir.

Ms. STEELE. Yes.

Senator LEVIN. Thank you. The other question has to do with what is considered, and I think that Mrs. Cox was asked a question and I want to see if the rest of you agree or disagree with her answer, and that has to do with the extent to which the Base Closure Commission will look, not just at the cost to the Department of Defense, the cost and benefits, but if there is a direct cost to other agencies of the government, that that will also be a factor in your consideration to the extent that you want to give weight to it.

We had a situation where that was ignored by the Department last round and the Commission corrected it and was willing—in fact, thought it was essential that we not just look at the actual cost to the Defense Department of closing a facility, but if that had a direct increase in the cost to another government agency, that you should look at that as well because otherwise you would be saving the taxpayers money over in the defense budget and costing the taxpayers money in some other budget.

So, it is one of the changes, which I believe that you are familiar with, Mrs. Cox, and I think a few others may be as well that has taken place since that last round because the Department did not consider something last time which we felt it should. Just common sense would require it. But the Commission corrected it, and I gave a lot of credit to the Commission. Although we lost our last SAC base last round, at least on this other facility, they were willing to fill in a gap which common sense seemed to require.

So, again let me ask then—I do not know that I want to try to repeat the answer that Mrs. Cox gave, but basically it was, if I am fair in the way I phrase this, if you have that information available for a base, that you should consider it even though it may not be available for other bases, that you go with the information that you have. You try to get the same information for every base, but if that information is available for a facility, it is a factor to be con-

sidered given what weight that you think is appropriate. Mrs. Cox, did I fairly state your answer to that question?

Ms. COX. Much better stated.

Senator LEVIN. General, do you agree or disagree or want to modify?

General DAVIS. I agree, sir. We ought to strive to get standardized data as much as we can, but we certainly cannot ignore something that is very obvious.

Senator LEVIN. Thank you.

Admiral MONTROYA. I am going to guess that our communities would not let us not consider that data, and if we are committed to an open process, Senator, I think it will come before us in some form, and I certainly would consider it.

Senator LEVIN. Thank you.

Mr. KLING. Senator, to the extent that information is available, certainly we should consider it, and I think you said the key words were "common sense" to use in any of these deliberations.

Senator LEVIN. Thank you.

Mr. CORNELLA. Senator, if those impacts are obvious and verifiable, they should be considered.

Senator LEVIN. Mrs. Steele.

Ms. STEELE. I agree. Once you move beyond military value, I think it also makes sense that what we do as a Commission is a good decision for the taxpayers at large and common sense, again, should apply.

Senator LEVIN. Let me thank you not just for your answers, but again for your willingness to serve. It is an incredibly difficult, emotional process. A number of you know that from the past and you are still willing to serve.

The only other request I would have is that the COBRA process be demystified. [Laughter.]

Too often community people will say the answer we get from the Department of Defense is that COBRA says that is the way it has to be. COBRA to them is a different image with some appropriate imagery actually in this situation. But too often it is, well, that is what COBRA tells us. But COBRA does not tell us anything more than what we put into COBRA, and it needs to be demystified. People need to be given straight answers as to what are the factors and how are they weighted and why we came out and not just be given the magic word as though there is some person behind a curtain there that is doing something which has objective reality to it. There are some subjective factors in here. There is a lot of judgment that goes into here, the weighting of factors goes in, and we ought to be straight with our people in that process.

Again, my great thanks to all of you and thank you, Mr. Chairman.

Senator MCCAIN. Senator Hutchison.

Senator HUTCHISON. Thank you, Mr. Chairman. I too want to say how much I appreciate the time and effort that you are agreeing to give for this very important service. I think that the Base Closure Commissions in the past have done excellent jobs. I want to say that the only one with whom I have worked is Rebecca Cox and she was willing to meet ad nauseam with everyone who asked her, and it was very helpful and I appreciate that.

I want to talk a little bit about some of the conflict of interest issues because, as Senator Thurmond and I Senator Nunn said, these are important issues. Perhaps everyone has some sort of conflict, but to the communities that are so affected, the conflicts of interest become, I think, exaggerated. So, I think it is important that everything be out on the table.

First, I want to say to Mr. Cornella how much I appreciate your willingness to just state right up front what your conflict is and agree to recuse yourself.

Mr. CORNELLA. Thank you, Senator.

Senator HUTCHISON. I think that is important for the process to work.

I have questions for General Davis and Ms. Steele. General Davis, I read in the paper this morning that you were not leaving your association with the Spectrum Group. In your written answers you said that you are not working on any project at present with the Spectrum Group. I would just like to ask you directly, are you severing your ties with the Spectrum Group?

General DAVIS. Senator, I have not. I represented the City of Glendale, Arizona, in looking at the vulnerabilities for Luke Air Force Base. We identified what vulnerabilities there were and helped build a strategic plan and handed that back to both the State and local governments.

When I found out that I was on the list or going to be on the list, I wrote a letter to Spectrum and said I would not participate in the Glendale, Arizona, nor in any other base realignment/closure actions as long as I was a Commissioner. If the perception is—as has been very eloquently pointed out whether it is perception or fact really is interesting but not necessarily relevant. So, if the perception of the conflict will continue, I will sever my relationships with Spectrum.

I clearly, on the advice of the Commission General Counsel, believe that a waiver is appropriate, and secondarily will have to review that whole thing again when we get the Department of Defense list and again when it comes time to start—if there are required add-ons in the process.

Senator HUTCHISON. So, you are intending at this time to stay associated with Spectrum? Well, let me just say if you stay associated with Spectrum, is it then your intention to recuse yourself from any of the bases with which Spectrum is associated?

General DAVIS. Senator, I have a little problem with that not because I have worked with them or I am associated with Spectrum. I think probably the best answer to this whole thing is I will sever my relationship with Spectrum; but I know a great deal about some of the areas, by virtue of my Air Force career, and to not comment on that I think would do the Commission a disservice. But clearly, I assure you and the whole committee that if a situation occurs that I think there even might be a conflict, I will recuse myself immediately.

Senator HUTCHISON. I think that definitely is the correct answer. I certainly hope that you will bring your experience in the Air Force to bear regardless of the comments made by Senator McCain, the chairman. I hope that you will continue to go forward with your Air Force experience.

General DAVIS. Senator McCain has known me a long time.

Senator HUTCHISON. Ms. Steele, there has also been concern raised, as you know, that you worked with Senator Nickles in defending bases in Oklahoma which, of course, was your responsibility on his staff, and the issue of recusal has come up with regard to Oklahoma bases or competitors with Oklahoma bases. How are you intending to handle that?

Ms. STEELE. Also, Senator, this was my initial impression and after talking with Commission General Counsel, I do not see any reason at this point for me to recuse myself. In the past there have been Commissioners—Mrs. Cox, for example—who have worked for Members of the Senate, and recusal has never been an issue just by basis of past employment. I have committed to be fair and, of course, I will be. Both Senator Nickles and the leader have the type of character that they have never or would never ask me to compromise my personal integrity for their gain. So, I do not feel that it could be an issue.

Senator HUTCHISON. Thank you.

Senator COHEN. General Davis, if that were your choice, it seems the next question would be would you, following the Base Closure Commission process, then reassociate yourself with the group?

General DAVIS. Yes, sir. I would sever my relationship for the period of the Commission and then reestablish that relationship because the majority of Spectrum work is non-Department of Defense or certainly non-base closure related.

Senator COHEN. I had some personal thoughts about your situation, but I will let Senator McCain and Senator Warner explore that and perhaps talk with you about it.

Senator MCCAIN. Senator Warner.

Senator WARNER. Thank you very much, Mr. Chairman. First, I join all members of the committee in thanking you not only as Senators, but citizens for what you are undertaking. It is a tough task and you are doing what Congress recognizes it is incapable of doing. It is not unlike the philosophy behind the Balanced Budget Amendment. At any rate, I participated in the drafting of this legislation, all bills that have been drafted to this, and I want to thank you for what you are about to undertake.

By pure coincidence, Senator Robb and I were working together this morning with constituents in our State on the BRAC issues. I would like to philosophically explore with you what the objectives are of the Commission and see if they coincide with my understanding as one of the draftsmen of this legislation.

Yes, it is base closure but the word "realignment" to me means that you can go back and revisit prior decisions by predecessor Commissions if there is a basis for that revisitation because the BRAC process, as I envisioned it and as we tried to write the law, was not only to close bases, but in some limited situations to even up the playing field between the Department of Defense and the private sector as they negotiate on, for example, leases and things of that matter.

If the Department of Defense were to come back and make a recommendation that a certain decision be revisited for reasons that the BRAC objective was achieved, namely a more level playing

field, would each of you have an open mind on that subject? Ms. Cox.

Ms. COX. Absolutely.

Senator WARNER. General.

General DAVIS. Yes, sir.

Admiral MONTROYA. Yes, I would, Senator.

Mr. KLING. Certainly, sir.

Admiral MONTROYA. Yes, sir.

Ms. STEELE. Yes, sir.

Senator WARNER. Well, I thank you very much because there is a wide jurisdiction and in my judgment that includes revisitation of prior decisions where subsequent events clearly justify now your consideration as to whether or not a decision by a prior Commission should be reversed. Thank you very much.

Senator MCCAIN. Thank you, Mr. Chairman. Senator Cohen, I had a series of questions on conflict of interest that needs to be asked, but they are a little long and tedious. If you would like to—

Senator COHEN. I will wait.

Senator MCCAIN. I would like to now turn to our standard conflict of interest questions that we ask nominees for the Base Closure and Realignment Commission.

As we all know, this is an unusual situation because members of the Commission serve on a part-time rather than full-time basis. Members of the Commission are not expected to give up their private sector occupation and businesses in order to serve on the Commission. We would not find qualified individuals to take part-time work if they were required to give up their normal jobs.

It is also unusual because it is not possible to identify specific conflicts of interest until the Secretary of Defense announces the list of proposed base closures and realignments, which is not due until March 1.

Because Commission members serve on a part-time basis and retain their jobs in the private sector and because it is not possible to identify specific conflicts of interest until the Secretary's list of proposed base closures and realignments is announced, the committee and the executive branch developed the following procedure which was used with respect to both the 1991 and 1993 Commissions.

First, at the time the Secretary's March 1 proposed list is announced, the Commission's General Counsel, working with the Department of Defense General Counsel and the Office of Government Ethics, will review the financial interests of each member of the Commission and advise the member whether recusal or other remedial action such as divestiture or waiver are necessary.

Second, the Commission's General Counsel will advise the Armed Services Committee of the results of the review and the action taken by members of the Commission.

Third, the Commission's General Counsel will establish a procedure providing for similar review and transmittal of information to the Armed Services Committee when the Commission considers action on installations that are not on the Secretary's March 1 list. In 1991 and 1993, this procedure resulted in a number of statutory waivers, recusals, and divestitures. In addition, one Commission

member determined that it was necessary for him to resign because the number of recusals he faced would have made it difficult for him to serve as an effective participant in the Commission's deliberations.

I have several questions that I would like to ask each of you on behalf of the committee on the subject of conflict of interest. These are the same questions that have been asked on both previous occasions. I would like to go down the list, starting with Mrs. Cox.

One, do you agree to follow the procedures applied in 1991 and 1993 with respect to conflicts of interest?

Ms. COX. Yes, sir.

General DAVIS. Yes, Senator.

Admiral MONTOYA. Yes, Senator.

Mr. KLING. Yes, sir.

Mr. CORNELLA. Yes, sir.

Ms. STEELE. Yes, Senator.

Senator MCCAIN. Two, if you are advised that a conflict of interest exists and that a statutory waiver is not authorized, will you either divest yourself of the interest or recuse yourself from the particular installation affected by the holding?

Ms. COX. Yes, sir.

General DAVIS. Yes, sir.

Admiral MONTOYA. Yes, sir.

Mr. KLING. I will.

Mr. CORNELLA. Yes, sir.

Ms. STEELE. Yes, Senator.

Senator MCCAIN. Three, if the number of recusals would impair your ability to effectively participate in a significant number of Commission proceedings, would you agree to resign?

Ms. COX. I would.

General DAVIS. I would.

Admiral MONTOYA. I would.

Mr. KLING. I would.

Mr. CORNELLA. Yes, sir.

Ms. STEELE. I would.

Senator MCCAIN. Four, do you have any financial interests that are so closely tied to a particular installation that you will be required to recuse yourself from participating in the consideration of a proposed closure or realignment of a particular base or type of base? And if so, please describe. Mrs. Cox.

Ms. COX. None of which I am aware.

General DAVIS. No interests, sir.

Admiral MONTOYA. Senator, I am President of a company which is a utility monopoly still, though it is going under severe deregulation, and we provide service to Kirtland Air Force Base and the laboratories in New Mexico. Clearly that base closing would have an impact on our company's revenues or that base growing would have an impact. Fortunately, it is not a major impact. It represents 1 percent of our revenues. I believe going in that I could handle issues around that base or others, but if it were to be seen as being a perceived conflict of interest, I will be prepared to recuse myself.

Senator MCCAIN. General Davis, could I go back to you in response to the question?

General DAVIS. Yes, sir.

Senator MCCAIN. Obviously, you have been involved in an organization that has been involved with some of the bases. Would you have a similar situation such as Admiral Montoya?

General DAVIS. No, Senator, because I have already separated myself from it, but clearly, as I have stated before, if there is a hint of conflict, I will recuse myself immediately.

Senator MCCAIN. I would hope to some degree you would rely on the recommendation of the General Counsel of the Department of Defense.

General DAVIS. Yes, sir.

Senator MCCAIN. Mr. Kling.

Mr. KLING. Senator, I do not know of any that I have.

Senator MCCAIN. Mr. Cornella.

Mr. CORNELLA. Yes, sir. I own real estate and a business in Rapid City, South Dakota, the location of Ellsworth Air Force Base, and as I have already indicated, I would recuse myself on that installation and any others defined as competitors by the General Counsel of the Commission.

Ms. STEELE. As I responded in my committee questions, my husband does work for a defense contractor. I am not aware of any direct connections to bases, but should there be a need to address the issue in the future, I would be willing to do so.

Senator MCCAIN. Would you view your work on behalf of Senator Nickles to be something that might raise questions about addressing issues of bases in the State of Oklahoma?

Ms. STEELE. For a recusal problem? Not at all, Senator. I am not certain if you were in the room when I answered Senator Hutchison's questions. I will be glad to respond again, or if that answer was not satisfactory, I will be glad to elaborate.

Senator MCCAIN. When you worked for Senator Nickles, did you have anything to do with the military bases?

Ms. STEELE. I did in the sense that I was his legislative assistant for defense issues, and when I started on staff, the State, across its military installations, did not know if any or several would be impacted by the Commission. As it turns out, only one base, Tinker Air Force Base, was added as a part of the menu of options with the Commission.

I went to the site visit in the State and the regional hearing in Corpus Christi, but the State, or actually the base, had its own independent community group that worked as advocates for that base. My connection, sir, frankly was with the Senator not with companies or installations and the State. So, I do not see a problem.

Senator MCCAIN. Well, Mrs. Steele, I would look very carefully at that if I were you because I know the job of military legislative assistants and I know that it requires a lot of interface with the military installations in a State. So, I might have a disagreement with you, but I would probably have a tendency to listen very carefully to the recommendations again of the Department of Defense Counsel on that issue. But all of our military legislative assistants interface with the bases in our States, otherwise they are not doing their job. So, I would look at that with some care if I were you.

Ms. STEELE. I would be delighted to, Senator.

Senator MCCAIN. Thank you. There are a number of other questions involving matters that do not amount to a statutory conflict of interest and do not necessarily require recusal but should be on the record concerning prior activities of nominees.

Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Ms. COX. Sir, I participated in the 1993 BRAC process as a Commissioner and obviously was involved in a number of base closures.

General DAVIS. Sir, I have described it previously. Would you like me to describe it again for the record?

Senator MCCAIN. If you have already described it previously in its fullest, perhaps you could submit a written response for the record on that if you have already described it.

General DAVIS. Yes, sir.

[Answer is reflected in witness "Questions and Responses" section of this transcript.]

Admiral MONTOYA. I have not, Senator.

Mr. KLING. I have not, Senator. However, I just might say that some of the boards I sit on may or may not have ever been involved. To my knowledge there are none, though.

Mr. CORNELLA. Yes, sir. I served as Chairman of the Ellsworth Task Force on an uncompensated basis. The activity was directed at precluding the closure of Ellsworth Air Force Base. The base was not considered for closure in past rounds.

Senator MCCAIN. And you have already stated that you would recuse yourself of any consideration of Ellsworth?

Mr. CORNELLA. Yes, sir.

Senator MCCAIN I think that probably takes care of that situation. Mrs. Steele.

Ms. STEELE. In 1991, Senator, I was on the Commission staff as the Senate liaison, so in that capacity I dealt with the issue very broadly. We have mentioned the issue of Senator Nickles, and the only other thing beyond that is that the leader had me give a speech on the base closure process for him in November, but it was very generic.

Senator MCCAIN. Thank you. Aside from any matters discussed in response to the previous question, have you ever provided any services or sought to provide any services to any facility, community, or other entity in connection with the BRAC process?

Ms. COX. No, sir.

General DAVIS. Sir, I participated in an Arizona First discussion as a technical advisor about the utility of Luke, Davis Monthan, and that is my only other involvement.

Senator MCCAIN. When was that, General Davis?

General DAVIS. That was either late September or early October.

Senator MCCAIN. Would you provide for the record in detail any involvement that you have had with as much detail as possible?

General DAVIS. Yes, sir.

[Answer is reflected in witness "Questions and Responses" section of this transcript.]

Senator MCCAIN. Thank you. Admiral.

Admiral MONTROYA. No, I have not.

Mr. KLING. I have not, sir.

Mr. CORNELLA. No, sir.

Ms. STEELE. No, sir.

Senator MCCAIN. Are you aware of any other circumstances that might require you to recuse yourself from participating in the proposed closure or realignment of a particular base or type of base?

Ms. COX. Senator, my husband represents a congressional district in California. Both bases in or near his district have been closed by previous Commissions and therefore it is unlikely that they would be reconsidered. If, hypothetically, there would be some sort of realignment or redirect brought before the Commission, I would recuse myself from consideration of those bases which are Tustin and El Torro.

Senator MCCAIN. And you would not advocate reopening?

Ms. COX. Right.

General DAVIS. None that I know of, Senator McCain.

Admiral MONTROYA. I do not have any that I know of, Senator.

Mr. KLING. I do not believe I do either, sir.

Mr. CORNELLA. No, sir.

Ms. STEELE. None that I know of, sir.

Senator MCCAIN. Thank you. I would just ask the witnesses to very carefully review those questions and make sure that your answers are complete, the responses are complete. The record will be kept open for any additional information that you choose to provide in response to those questions. Those are very important questions because clearly the credibility of this Commission is based on its objectivity. I thank you for responding to the questions. Senator Lott.

Senator COHEN. Mr. Chairman, may I ask just one question?

Senator MCCAIN. Sure.

Senator COHEN. I just want to follow up with General Davis on one of the problems dealing with your situation, which is somewhat unique. It is obvious from your background you bring tremendous experience to the Commission and no one can question your integrity on virtually any issue. You have already indicated with respect to the Spectrum Group that you recuse yourself from any consideration about Luke or any of the other facilities in Arizona you might have been consulting with.

General DAVIS. Yes, sir.

Senator COHEN. You indicated to Senator Hutchison that it may just come to the point where you decide to sever your relationship, period, with respect with Spectrum Group. Then I asked you the question as to whether or not, following the Commission's activities, you might then go back with the Spectrum Group.

I think I have some difficulties with that concept. I would far prefer personally to see a situation where you do not know which bases are going to be on or off or added. So, it is impossible for you or any of the other members to make a determination now about conflict of interest for the most part. But once that list comes out and once you begin your deliberations, it seems to me that with respect to Spectrum, if Spectrum has several or a multitude of clients putting together strategic plans, you obviously would not be involved in any of that, but nonetheless, this group which you were

previously associated with which you intend to go back to—questions would be raised then about your lack of objectivity.

So, my own view would be that you should give careful consideration to any of the facilities that are on that list or added to that list that the Spectrum Group is associated with, that you give consideration of recusal rather than severance. I think there will be a difference in perception. It is something that you ought to take up with the counsel, but I think it is going to create a problem that need not be created. I thank the Senator for yielding.

Senator LOTT. Thank you, Mr. Chairman, and I thank all the prospective members of the Commission. I know it has been a long morning and most of the questions I wanted to ask have already been dealt with. I was concerned about a number of potential appearances of conflict, and I think that all of you have been asked about that in one way or another.

I have always had serious reservations about this whole process, and if I had my way, this round would not go forward. We would delay it for at least 2 more years.

But I must say that I think the previous Commissions have been very thorough and have done a very fair job, and I think that the members of those Commissions should be and were commended. So, I hope that you will all do as well as they did.

Ms. Cox, it is good to see you again. I guess last time you did not make a sufficient sacrifice since you were a new mother, and so you want to go through this painful process again. But we are glad to see you back as a member of the Commission.

Ms. COX. Thank you.

Senator LOTT. General Davis, I wanted to get some clarification on the Spectrum question. I think you have been asked a number of questions about it and have responded sufficiently.

Admiral Montoya, good to see you again.

Admiral MONTOYA. Good to see you, Senator.

Senator LOTT. Once a Seabee are you always a Seabee?

Admiral MONTOYA. Absolutely.

Senator LOTT. I want to make sure of that. Mr. Cornella, I commend you for recusing yourself on the issues involving Ellsworth. I think that was the right thing to do.

Mr. CORNELLA. Thank you.

Senator LOTT. And, Mrs. Steele, I think you have been asked some questions about the appearance or potential problem with Oklahoma, and I hope you will be very careful about how you deal with those bases.

I know you are all very sensitive now to how strongly we feel about being careful about any appearance of conflicts, and I know that you will be very careful about it.

One admonition, I would like to just remind you. I guess it is a quote from Churchill. "When you have to kill a man, it costs nothing to be polite." I hope that you will be very careful and very sensitive how you proceed. I think the last Commission did that and there were some very tough decisions, but they did it in such a way that it inflicted the minimum possible pain.

Just one question I would like to address to the panel. Maybe I will address it to a couple of you. If one service wants to have some sort of consolidation at a base in order to retain that base and an-

other service does not for whatever reasons, and as a result of that refusal to consolidate, it would force the Department of Defense to recommend that that base be closed, would you be reluctant to insist on looking at these potential base consolidation opportunities where more than one service would use the same base? Admiral Montoya.

Admiral MONTOYA. No. I believe the cross-servicing team has been put together and it has that purpose in mind for those specific areas. I am sure our communities will bring to our attention just such issues such as that. I believe that was part of the inspiration for adding bases in the last BRAC process. I believe, Senator, that once you are committed to this process, that open-mindedness and an open process need to deal with any information that comes forward at that time. I do not think you can afford to ignore it and be fair to the process. So, I would certainly consider it.

Senator LOTT. General Davis.

General DAVIS. Yes, sir. I would very much like to look at it because I was a member of the Inter-service Training Review Organization that looked at combining capabilities within the services when I was on the air staff several years ago. So, clearly there are some savings and economies in that process, and I assure you I will take a look at it.

Senator LOTT. Well, I just want to make sure that you realize you have that authority and that you will use innovative ideas and you will not be bound by the inability of the Department of Defense sometimes to get the services to do some consolidations that would save money and would make greater utilization of existing bases. With that, I thank you for your time.

Senator MCCAIN. Thank you, Senator Lott. I would just like to, in closing, echo the sentiments of my colleagues in thanking you for your willingness to serve.

I would remind you that the reason why you are in being is because Congress could not or would not act on its own to close a single base in America. The record is clear that the Congress of the United States could not do it, so we put it in the hands of a Commission.

I believe that unless some unforeseen event occurs and we reserve the continued trends of cuts, that we have no choice but to reduce the base structure. We must do it soon. The former Chairman of the Joint Chiefs of Staff, Colin Powell, in his last testimony before this committee spoke very strongly about the enormous waste of defense dollars. When you cut the defense infrastructure by only 15 percent and cut defense spending by some 45 to 50 percent, you cannot have that kind of imbalance. We must rectify it.

I would hope that we can proceed with your nominations. Many of us on this side are very disturbed about the failure of the White House to send over former Secretary Stone's nomination to this Commission. He was confirmed three times by the U.S. Senate for other jobs, and somehow he was not qualified to be a member of this Commission. I tell you in all candor that that provides ammunition for those who do not want to see this process go forward.

So, my job and I believe the overwhelming majority of members of this committee will seek to see that your nominations are moved forward to the floor of the Senate as rapidly as possible.

I also would like to echo the sentiments of Senator Lott in being kind. I do not have to tell you, Mr. Cornella, who was involved in the effort to save an Air Force Base, what a traumatic experience this is for the men and women whose very lives are impacted by the closure of a base. I do not have to tell anybody, but especially you. There was a base closed in my State that we are still trying to sort out exactly how to handle what happens to Williams Air Force Base 3 years later.

So, this effort of yours is going to require an enormous amount of patience as you listen to the people in these States and communities whose very lives are drastically impacted. Senator Cohen, obviously, in the case of Loring Air Force Base, has very graphic and dramatic stories to tell about how this has basically destroyed an entire community in his State. So, I counsel understanding and compassion as you go about this very difficult and arduous labor. I appreciate that you are willing to serve.

I am handed a note that says because of the many concerns raised today about potential conflicts of interest, I ask each nominee once again to review their own situations and provide a response for the record on your plans to deal with recusal or other conflict-related issues.

[Answer is reflected in witness "Questions and Responses" section of this transcript.]

Senator MCCAIN. Thank you very much. Does anyone on the panel care to make any last comments? [No response.]

Thank you very much. This hearing is adjourned.

[Whereupon, at 11:47 a.m., the committee was adjourned.]

[Prepared questions submitted to Alton W. Cornella by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. Yes. I served as the Chairman of Military Affairs for the Rapid City Area Chamber of Commerce. This included chairing a subcommittee called the Ellsworth Task Force or Defense Initiative. The purpose of the subcommittee was to provide a proactive approach to the preservation of Ellsworth Air Force Base, SD. I also own real estate in the area, and my firm has done business at Ellsworth Air Force Base. I will recuse myself on this base and any others determined as competitors by the General Counsel of the Defense Base Closure and Realignment Commission.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. Yes. I served as Chairman of the Ellsworth Task Force on an uncompensated basis. The activity was directed at precluding the closure of Ellsworth AFB, SD. The base was not considered for closure in past rounds.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. Yes. I was a resident in the vicinity of Ellsworth AFB, SD when the base received additional missions and personnel from realignment under the 1993 BRAC process.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. My wife or I could suffer the same financial loss as any other member of the community if Ellsworth AFB, SD would be closed. For this reason, I will recuse myself on Ellsworth AFB and any other bases determined to be competitors by the General Counsel of the BRAC.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I have the perspective and experience of a successful small businessman. For the past decade, I have been personally involved in providing the types of support that individuals and communities concerned about national defense furnish nearby military installations. I will be sensitive to the human and economic impacts, while at the same time realizing the importance of the military value of the installation.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. If confirmed, I intend to carefully review all of the past closure rounds, the COBRA model for comparison of installations, and the process and methodology created by the Defense Department to put together their recommendations for the 1995 Commission.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. To ensure that the Department of Defense has selected the correct installations to close or realign and providing affected parties with the opportunity to present their concerns and opinions to the Commission.

If confirmed, I will work with the Chairman and the other Commissioners to ensure that every decision is the result of careful research, analysis, and deliberation. I will spend the time necessary to provide all affected parties with the opportunity to input information.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. The amount of information to be assessed in the short time available.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. I will spend the time necessary to fulfill my duties on the Commission.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. Absolutely not.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. I have no preconceived ideas on which bases should be closed or missions realigned.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Yes, without a doubt.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. I will be available, to the maximum extent possible, to all who are affected by the process.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. Providing all affected parties the opportunity to take part in the process and conducting all affairs of the Commission in a fair and impartial manner.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. It has been the policy of previous commissions to disregard the cost of environmental cleanup costs when considering which bases should be closed or realigned. I think it is appropriate to continue that policy.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. The Commission should continue the openness of the process, encourage the input of data from all affected parties, and with the help of fellow Commissioners and Commission staff, guarantee that all relevant information is considered.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. The addition of 2 weeks in the 1995 round and the willingness of Commissioners to spend the required time should allow for adequate review time.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. If confirmed, I will ensure that all recommended bases are compared to other bases within that category.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. I understand the Commission has added a cross-servicing team on the Review and Analysis Staff to specifically address those recommendations.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. Because all three closure rounds were established under the same act, it would seem appropriate to maintain the same selection criteria. All affected parties are familiar with the selection criteria.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. I believe the existing criteria are sufficient to address all relevant issues.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. Past Commissions have tried to take these costs into consideration when possible. I support that effort and expect the 1995 Commission will examine those costs when they are obvious and verifiable.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. The contribution of the particular installation in maintaining an adequate national defense for the United States of America.

[The nomination reference of Alton W. Cornella follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Alton W. Cornella, of South Dakota, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Peter B. Bowman, term expired.

[The biographical sketch of Alton W. Cornella, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF AL CORNELLA

Al Cornella is the President of Cornella Refrigeration Inc., a Rapid City, South Dakota firm specializing in commercial and industrial refrigeration. He is a U.S. Navy veteran with service in Vietnam and has been active in military issues for over a decade.

Cornella has also served on a number of boards and commissions in South Dakota including the Rapid City Chamber of Commerce. During his tenure with the Chamber, he served as Chairman of the Board of Directors from 1991-1992, and as Chairman of the Military Affairs Committee.

In 1992, Mr. Cornella was appointed by former South Dakota Governor George Mickelson to serve on the State Commission on Hazardous Waste Disposal.

Mr. Cornella currently serves on the boards of the South Dakota Air and Space Foundation and the Rapid City Economic Development Loan Fund.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Alton W. Cornella in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

Alton W. Cornella; Al Cornella.

2. Position to which nominated:

Defense Base Closure and Realignment Commissioner.

3. Date of nomination:

February 8, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

April 2, 1947; Bismarck, ND.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married, November 29, 1969 to Marietta Kay Sandgren.

7. Names and ages of children:

Scott A. Cornella, February 28, 1972; Terry L. Cornella, April 24, 1974; and Allison M. Cornella, September 14, 1978.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Hettinger High School, 1961-1965, High School Diploma.

South Dakota School of Mines and Technology, 1978-1979, no degree awarded.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

1975 to present—President, Al Cornella Refrigeration Service, Inc., 208 Saint Onge Street, Rapid City, SD 57702

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

1991 to 1992, member, Governor's Committee on Hazardous Material Disposal, state of South Dakota

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, company, firm, partnership, or other business enterprise, educational or other institution.

Al Cornella Refrigeration Service, Inc., President.
Rapid City Economic Development Loan Fund, Director.
South Dakota Air & Space Foundation, Director.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Air Force Association, member.
U.S. Naval Institute, member.
South Dakota Air & Space Foundation, director.
Refrigeration Service Engineers' Society, Certificate Member.
Rapid City Area Chamber of Commerce, member.
Belle Fourche Chamber of Commerce, member.
Hill City Chamber of Commerce, member.
Custer Chamber of Commerce, member.
Spearfish Chamber of Commerce, member.
American Legion, member.
Disabled American Veterans, member.
Veterans of Foreign Wars, member.
Vietnam Veterans of America, member.
Izaak Walton League, member.
National Rifle Association, member.
Industry and Commerce Association, member.
Optimists International, member.
Rotary International, member.
Arrowhead Country Club, member.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

<i>Name</i>	<i>Amount</i>
McLaughlin for Mayor	100.00
Miller for Governor	250.00
Pennington County Republicans	200.00
Haskell for Senate	100.00
Hollenbeck for House	100.00
Janklow for Governor	200.00
Frankenfeld for Congress	500.00
McCarthy for School Board	100.00
Hillard for House	100.00

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

National Defense Service Medal.
Vietnam Service Medal (One Bronze Star).
Vietnam Campaign Medal.

Selected to first list of Top Ten "Movers and Shakers" in the Black Hills of South Dakota, 1987.

Selected by *Eyes on You* magazine as one of 100 Influential People in South Dakota, 1994.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

"Displaying Flag More Than Political Gesture", Rapid City Journal, 1990; Carville Star, 1991 (Text attached).

Displaying flag more than political gesture

Al Cornella is a Rapid City businessman and Vietnam veteran.

Al Cornella

I was raised on the history of the United States. It was the only subject that seemed appealing to a young boy more interested in staring out the window than listening to what a teacher might be saying. It is difficult to daydream about numbers or nouns.



Cornella

But, imagine what you can do with history. I've walked the streets of Philadelphia with Benjamin Franklin, tramped swamps with Francis Marion and attended the signing of the Declaration of Independence. I watched the battle at Gettysburg (from a point of safety) and fought in the forest of the Meuse-Argonne. I tasted the dust of Dakota in the thirties, stood in bread lines, and worked with the WPA. I was at Pearl Harbor, Wake Island, Bataan, Bastogne and a hundred other places whose names I know you recall. I cheered Roosevelt and cried when he died. I did these and a thousand other things — in my mind, and in my heart.

In real life, I had the privilege to wear the uniforms of both the U.S. Army and Navy. On returning from a tour in Vietnam, a group of protesters

at the Los Angeles airport cursed and spit upon me as they tried to rip the ribbons from my chest. This happened again in a foreign country, but there I somehow understood. I never could understand the Americans at the airport. I just figured they hadn't traveled where I had — in my mind, and in my heart.

Through those military years as I would stand at quarters and listen to the "Star Spangled Banner," I would again make those travels and remember the men and women who gave their lives and limbs for the freedoms we enjoy. I would look upon our flag and feel pride as I thought of what our flag symbolized.

Now the ACLU, an organization that would have difficulty existing in any other country in the world, claims displaying the flag of the United States is a political statement and anti-war banners should receive equal space.

If we allow our country to become divided over display of the flag, it will be one of the low points of United States history. The flag is for all Americans, regardless of political views. Dissenters should feel free to protest under the flag, for it is the very symbol of their right to free speech. They should wave the flag higher than anyone. However, when they burn, desecrate, or display the flag in a disrespectful manner, they unwittingly display ignorance of their heritage and most sadly of all, ignorance of the very freedoms they enjoy.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ALTON W. CORNELLA.

This 8th day of February, 1995.

[The nomination of Alton W. Cornella was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

[Prepared questions submitted to Rebecca G. Cox by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. No, at least until a list has been received.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. I participated as a commissioner on the 1993 BRAC.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. Yes, I was a resident in the vicinity of Marine Corps Air Station El Toro, CA.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I have had over 10 years of Government experience at senior levels working in both the legislative and executive branches including legislative experience in the area of defense policy and funding issues. For the past 6 years I have worked as an officer to a major corporation involved in financial and operational decisions. I served as a member of the 1993 Defense Base Closure and Realignment Commission.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. No.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. As a Commissioner, my job would be to review the decisions of the Department of Defense to determine whether the Secretary of Defense has made the right decision as to closure/realignment based on the statutorily proscribed selection criteria and the Force Structure Plan. Each Commissioner shall have to find the time to make sure that all views are heard, that each view is researched so that all the information necessary to make an informed decision is available to both the Commission and the public. If confirmed, I will work with all of the Commissioners and the staff to see that all the necessary information is obtained, reviewed and fairly considered.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. The Commissioners must be able to fairly evaluate an enormous amount of information in a very short period of time. The amount of data to be considered requires a commitment of both time and energy.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. I am willing to spend as much time as necessary—and humanly possible—to make sure that all information is obtained and evaluated fairly. This includes spending as much time as possible with the communities and interested parties to make sure that their views and comments are given every consideration.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. No.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. The types of military bases to be closed or realigned depends on the Secretary's Force Structure Plan, the recommendations of the Department of Defense, and fair and open hearings on the merits.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Yes.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. If confirmed, I will keep an open mind about all decisions and will welcome information from all sources—most particularly from elected officials and other local leadership who are most directly impacted by the decisions of the Commission and who deserve the opportunity for a fair hearing.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. The most important element of maintaining public confidence is to provide a fair hearing and public forum to all interested parties so that every decision of the Commission is based on the best information available.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. The Department of Defense has indicated that it does not believe that the environmental clean-up costs should be included as a factor in making a decision on base closures. I believed this to be an appropriate policy in 1993 and continue to support that position. The clean-up is an obligation of the Federal Government whether or not the base is closed. Therefore, it should be excluded as a decision-making factor.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. The Commissioners must make sure that communities and elected officials are fully informed about the process. Without the assistance of the parties most closely affected by these decisions, it would not be possible to ensure that all relevant information will be brought to the attention of the Commissioners. And, the Commission must make itself available to all parties.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. Although there is a tremendous amount of work to be done, I believe that there will be adequate time given careful scheduling of base visits and hearings.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. To ensure that all facilities are treated equally in the review process, it is important to make sure that alternatives to the proposed closures are also carefully reviewed. While it is important not to alarm communities by unnecessarily reviewing bases, the recommendation to close a base must be an informed decision based on all available information—including a realistic look at alternatives.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. If confirmed, I will look forward to reviewing any work done, or recommendations made, by the Department in the area of cross-servicing. To this end, the chairman has organized the staff so that this might be a thorough review.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. I agree with the decision. The criteria used in 1991 and 1993 is fair, easily understood, and appropriate.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. No.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. In the past, the Commission considered the financial impact of a base closure on other Federal agencies and on State and local governments. I believe that this is an appropriate consideration.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. The key element of military necessity is the importance of the base in providing for the defense of the Nation as defined by the Secretary and the Congress in the Force Structure Plan.

[The nomination reference of Rebecca G. Cox follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Rebecca G. Cox, of California, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress. (Reappointment.)

[The biographical sketch of Rebecca G. Cox, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF REBECCA G. COX

Rebecca G. Cox is currently a Vice President of Continental Airlines, Inc. She joined Continental in January, 1989. In 1993, she served as a Member of the Defense Base Closure and Realignment Commission.

Before joining Continental, Rebecca served as Assistant to the President and Director of the Office of Public Liaison, President Reagan's primary outreach effort to the private sector. She was also appointed by the President to serve as Chairman of the Interagency Committee for Women's Business Enterprise.

Prior to her 1987 White House appointment, Ms. Cox had served as Assistant Secretary for Governmental Affairs at the Department of Transportation. As Assistant Secretary, she was responsible for coordinating legislative strategies and non-legislative relationships between the Department and Congress, as well as ensuring a continuing Departmental program for effective communication and policy development with other Federal agencies, State and local governments and national organizations.

Ms. Cox had previously served at the Department of Transportation as Counselor to Secretary Elizabeth Dole and as Deputy Assistant Secretary for Government Affairs.

Before coming to the Department of Transportation, Ms. Cox worked in the U.S. Senate first as staff assistant, then legislative assistant and, finally, as Chief of Staff to U.S. Senator Ted Stevens. As Chief of Staff, she was responsible for managing the Senator's Alaska staff, the leadership duties of the Office of the Assistant Majority Leader and the oversight of his subcommittee assignments including those involving the Commerce, Appropriations, and Governmental Affairs Committees.

In 1976, she received a B.A. degree from DePauw University in Greencastle, Indiana and a Juris Doctorate degree from the Columbus School of Law, Catholic University, Washington, DC in 1981.

Ms. Cox resides in Newport Beach, CA with her husband Chris and their two children.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Rebecca G. Cox in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

Rebecca Gernhardt Cox; Rebecca Gernhardt Range.

2. Position to which nominated:

Commissioner, 1995 Defense Base Closure and Realignment Commission.

3. Date of nomination:

February 8, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

October 23, 1954; Mansfield, OH.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Christopher Cox.

7. Names and ages of children:

Charles Christopher Cox, 21 months; and Kathryn Carter Cox, 8 months

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Malabar High School; Mansfield, Ohio; 1972.

DePauw University; B.A.; June 1976.

Catholic University, Columbia School of Law; J.D.; June 1991.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Staff V.P./V.P., Continental Airlines, 1989 to present.

Deputy Assistant/Assistant to the President and the Director of Public Liaison, 1987 to 1989.

Deputy Assistant/Counselor/Assistant Secretary of Government Affairs, Department of Transportation, 1983 to 1987.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Chief of Staff, Legislative Director, Legislative Assistant and Staff Assistant to U.S. Senator, and Assistant Minority/Majority Leader, 1977 to 1983.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Officer of Continental Airlines.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member, Orange County Republican Women's Club

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Member, Orange County Republican Women's Club.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

	<i>Amount</i>
Jack Fields for Congress	\$1,000
David McIntosh for Congress	1,000
Bill Gooding for Congress	500
Susan Molinari for Congress	200
Bob Williams for Congress	250
Lynn Martin for Senate	500

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

The Secretary's Award for Outstanding Achievement, Department of Transportation, 1987.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

REBECCA G. COX.

This 8th day of February, 1995.

[The nomination of Rebecca G. Cox was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

[Prepared questions submitted to James B. Davis by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. None so far.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. I joined the Spectrum Group, Washington, DC in November 1993 as an associate. The Spectrum Group has multiple clients some of whom are communities with active military bases. The Spectrum Group has worked with several communities to prepare them for the Defense Base Closure and Realignment Process. Although I am aware of the communities represented, I have only had active involvement with one community and that is the City of Glendale, AZ. My involvement consisted in assessing the vulnerabilities of Luke AFB, AZ and in helping the City of Glendale build a strategy to fix those vulnerabilities. For that work I was compensated by the Spectrum Group. On the second of January, when I learned that Congressman Gingrich had recommended my nomination as a commissioner to the White House, I sent a letter to the Spectrum Group severing any further relationships with the Glendale Arizona project and any future project that appeared to be in conflict with the nomination or that related to the base closure process. At present I am not working any projects with the Spectrum Group.

Additionally, on one occasion early in the fall of 1994 and on an uncompensated basis, I had a discussion with a group that is concerned about MacDill AFB, FL. Again the discussion revolved around MacDill AFB's vulnerabilities and what the community might do to reduce those vulnerabilities. I have had no follow-up discussions.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. No. I was stationed overseas from January 1988 to July 1993.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. Thirty-five years with the Air Force with duties at the lowest to highest levels of the echelon. In addition, I attended one joint school, and had three joint assignments. As a result I am familiar with and have worked closely with all of the military services.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. Yes. Familiarize myself with the process and backgrounds of the analysis.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. To find the right balance of closures, realignments and redirections consistent with the force structure plan and the selection criteria. If confirmed I will strive to absorb the appropriate data to make an informed decision.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. To meet the short time lines.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. Division of labor, proper analysis, and timely interface with the appropriate agencies, communities and regions.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. No.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. I do not have any preconceived views other than assuring that there is adequate support structure to meet current and projected military requirements.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Yes.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. Timely interface with the public, local leadership and elected officials must be part of the equation.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. The most important element is to discover all the relevant facts in order to make an informed decision—public input is key to that process. By having an open process, it enhances the integrity.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning

up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. Whether a base is closed or not, the environmental contamination has to be cleaned up. The cost to clean up is a factor of which the Commission should be aware, but it should not be a determining factor.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. I am aware of the allegations and will carefully review all of the DOD recommendations and the supporting information. I will look to the public to provide additional information.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. The Commission on receipt of the list should analyze the kinds and types of installations, draw on the strengths of the individual commissioners and come up with a comprehensive plan for appropriate division of labor.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. I will emphasize the importance of gathering all the appropriate data, meeting with and listening to the public, Members of Congress, and all relevant government agencies.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. Form a cost effective common sense approach, supported by adequate analysis.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. From my initial review, the selection criteria appear to provide the appropriate emphasis on military value and other considerations.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. Not to date.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. Regardless of the Defense Department's views on this issue, I think the Commission should try, to the extent possible, to take these costs into consideration.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. The contribution of the installations to the performance of the key missions of one or more of the military services.

[The nomination reference of James B. Davis follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Gen. James B. Davis, United States Air Force, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Beverly Butcher Byron, term expired.

[The biographical sketch of James B. Davis, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JAMES B. DAVIS

In August of 1993, Gen. J.B. Davis concluded a 35 year career with the U.S. Air Force as a combat fighter pilot commander and strategic planner and programmer. He has served as a commander of a combat fighter wing, of the U.S. Air Force's Military Personnel Center, Pacific Air Forces, and United States Forces Japan. On the staff side, he served as the Director and Programmer of the U.S. Air Force's personnel and training, Deputy Chief of Staff for Operations and Intelligence Pacific Air Forces, and served his last 2 years on active duty as the Chief of Staff, Supreme Headquarters Allied Powers Europe (NATO).

During his career he has had extensive experience in operations, intelligence, human resource management, and political/military and international affairs. He has commanded a nuclear capable organization of about 6,000 personnel and a joint service organization of about 60,000 personnel and several sizes in between.

In the 1990s, he was deeply involved in the successful multimillion dollar negotiations for support of U.S. Forces in Japan and the Japanese Financial support of U.S. Forces in Desert Storm. In NATO, he was the chief negotiator with the North Atlantic Council and the United Nations for NATO's participation in the Yugoslavian conflict.

General Davis has lived overseas for more than 10 years almost evenly split between the Pacific and Europe. Because of his official duties, he has traveled extensively to all the ASEAN and NATO countries and many of the Central and Eastern European countries, including Hungary and Albania, meeting with Ministers of State and Defense, Prime Ministers and Presidents.

General Davis has a B.S. degree in Engineering from the U.S. Naval Academy, a Masters degree in Public Administration from Auburn University at Montgomery, and has attended multiple professional schools.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by James B. Davis in connection with his nomination follows:]

UNITED STATES SENATE
 COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
 NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

James Burr Davis.

2. Position to which nominated:

Commissioner, Defense Base Realignment and Closure Commission

3. Date of nomination:

February 8, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

November 14, 1935; Wayne, NE.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Carol L. Davis (nee Kreis).

7. Names and ages of children:

James B. Davis II, 35, son; Kimberly A. Davis, 33, daughter; and Stephanie L. Gensler, 29, daughter.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Wayne City School (K-12), 1939-1953, HS Diploma, May 1953.

Wayne State College, 1953-1954, no degree.

U.S. Naval Academy, 1954-1958, BS, June 4, 1958.

Squadron Officer's School, 1964, no degree.

Armed Forces Staff College, 1971, no degree.

Air War College, 1975-1976, no degree.

Auburn of Montgomery, 1975-1976, MPA, June 1976.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Director, Air Force Personnel Programs and Training, Department of the Air Force, The Pentagon, September 1982 to September 1984.

Commander, Air Force Military Personnel Center, Department of the Air Force, Randolph AFB, TX, September 1984 to August 1986.

Deputy Chief of Operations and Intelligence Pacific Air Forces, Department of the Air Force, Hickam AFB, HI, August 1986 to August 1987.

Vice Commander in Chief, PACAF, Department of the Air Force, Hickam AFB, HI, August 1987 to January 1988.

Commander 5th Air Force and Commander, U.S. Force Japan, Departments of the Air Force and Defense, Yokota AFB, Japan, January 1988 to July 1991.

Chief of Staff, Supreme Headquarters Europe (NATO), Department of Defense, Mons, Belgium, July 1991 to July 1993.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Board of Directors, Ryokuchi Corporation, Tokyo, Japan.

Associate with the Spectrum Group, Washington, DC.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Advisor to Pinellas County Boy Scout Council.

Member of the Falcon Foundation, USAF, Colorado Springs, CO.

Member of the 5th Air Force Memorial Foundation.

Member of Japan U.S. Association of Tampa.

Member of TROA (The Retired Officers Association).

Member of the Dadaelion Society.

Member of the Air Force Association.

Member of the NRA.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

(See earlier biography.)

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None for distribution to the public.

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JAMES B. DAVIS.

This 1st day of January, 1995.

[The nomination of James B. Davis was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the rec-

ommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

[Prepared questions submitted to S. Lee Kling by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. No.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. No.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. No.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I believe my wide and varied business endeavors and numerous boards that I have served on have given me a deep sense of fairness and logic in my decisionmaking processes and then my numerous experiences in the political and government arenas have allowed me to have a balanced approach to the decisionmaking that will be so important in this commission role. I also have served in the military for approximately 2 years and serve on the board of directors of a large defense company which helps to give me an understanding of our country's military needs.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. I need additional briefing from staff members and I need to do a thorough review of all matters under consideration and to seek assistance on any matters that I do not understand. I intend to do this.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. This is the final round of base closings and thus probably the most important and most difficult. Since this is the case, the biggest challenge is to make decisions that have been thought out thoroughly and factually and to do this in the short time we have available, and insuring that all affected parties have an opportunity to present their views will require a major commitment. We will need to work hard and smart.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. Maintaining our national security interest and at the same time providing our country with the maximum economic benefit. Assembling the information available in a short time to accomplish this will be a major undertaking.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. As I have stated above, work harder and smarter in close conjunction with our Chairman, who has had broad experience with our staff, and to reach out as far as possible to those concerned and involved. I will spend whatever time is necessary to accomplish this.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. Absolutely not, and only that I will support those that meet and fit the criteria set out.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. Same as above.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Absolutely.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. I feel that elected officials and individuals representing communities should be given a full hearing on their views and concerns and be able to present these views in an open forum. Time has to be afforded all communities. I will be open to all opinions and concerns.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. Open communications from the communities to the commission and the ability of the Commission to provide an open forum for the communities to provide their thoughts and concerns, and the ability of the Commission to show its honesty, concern and understanding of communities.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. I understand that it has been the policy of the Secretary of Defense not to include the cost of environmental cleanup as a factor in making closure and realignment decisions and that policy has been adopted by previous commissions.

I think it is appropriate to exclude the environmental cleanup costs from the decision to close or realign a base because cleanup is an obligation of the Federal Government whether the base is closed or not. Additionally, considering environmental cleanup costs in the decision to close or realign a base could create a situation that results in closing bases with few environmental cleanup problems and leaving open bases facing large cleanup costs, regardless of military value.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. If we do our job thoroughly and efficiently, we will seek out all relevant information from any and all sources that will allow us to make the appropriate recommendations.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. Until we see what is involved, this may be premature, however we will need to hit the ground running and involve all of the Commission and staff to the fullest extent.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. By commitment to the process and dedication to seeing a fair and impartial process.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. I understand that the Commission is aware of the Department efforts toward cross-servicing and to that end has reorganized the review and analysis staff to specifically address those functions under review.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. I believe this is probably fair and correct. It has been tried and tested two times and hopefully most of the bugs and problems in the procedures have been eliminated.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes, and it needs to be considered.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. Common sense.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. It is probably impractical and impossible to do so. However, I believe we should try to take some of these costs into consideration.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. The national security interest of our country and the contribution of an installation to the performance of the key missions of the military service.

[The nomination reference of S. Lee Kling follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

S. Lee Kling, of Missouri, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Hansford T. Johnson, term expired.

[The biographical sketch of S. Lee Kling, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF S. LEE KLING

S. Lee Kling serves as Chairman of the Board of Kling Rechter & Company, a merchant banking company. The company was formed in 1991. Additionally, he serves as a Special Advisor and Managing Director of Willis Corroon Corp. of Missouri.

Mr. Kling served as Chairman of the Board of Landmark Bancshares Corporation, a St. Louis based bank holding company located in Missouri and Illinois, from 1975 through December 1991 when the company merged with Magna Group, Inc. He served additionally as the company's Chief Executive Officer from 1974 through October 1990, except for the year 1973 when he served as Assistant Special Counsel on Inflation for the White House, and in that capacity as Deputy for Ambassador Robert S. Strauss.

From 1953 until 1974, Mr. Kling was in the insurance brokerage business. He founded his own insurance firm in 1965, which was sold in 1969 to a publicly traded manufacturing company, Weil McClain Co., Inc. He remained with the company as Chairman and CEO of the insurance division until 1974, when the company was sold to Reed Stenhouse of Canada. He then continued on a part-time basis for a number of years.

From 1974 to 1977 Mr. Kling served as Finance Chairman of the Democratic National Committee and a member of its Executive Committee. In 1976, he was Treasurer of the Democratic National Convention. He founded and chaired for 2 years the Democratic Congressional House and Senate Council. He was Co-Chairman in 1977 of the Democratic Congressional Dinner, and in 1982 was the recipient of the Democratic National Committee Distinguished Service Award. He served as National Treasurer of the Carter-Mondale Election Committee, and in 1987-88 Mr. Kling served as National Treasurer of the Gephardt for President Committee.

Mr. Kling was Co-Chairman of the Citizens Committee for the Ratification of the Panama Canal Treaties. In 1979 he served as United States Economic Advisor representing the private sector during the peace negotiations between Israel and Egypt. In 1982-83 he was Co-Chairman of the Coalition for Enactment of the Caribbean Basin Initiative legislation. Mr. Kling serves on the boards of a number of public and private corporations, civic and charitable organizations.

He received the Distinguished Business Alumni Award from Washington University in 1989 and was the Missouri Building & Construction Trade Counsel Construction Man of the Year in 1990.

Mr. Kling and his wife, Rosalyn Hauss, have four children. Their residence is at Grayling Farms in Villa Ridge, which is just west of St. Louis, MO. He attended New York Military Academy, Cornwall-on-Hudson, NY, and received his B.S.B.A. degree from Washington University in St. Louis. From 1950 to 1952 he served in the Army as a 1st lieutenant and aide-de-camp to Gen. Buy O. Kurtz. Mr. Kling was born in St. Louis, MO on December 22, 1928.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by S. Lee Kling in connection with his nomination follows:]

UNITED STATES SENATE
 COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
 NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

S. Lee Kling (Stephen Leroy Kling).

2. Position to which nominated:

Commissioner, Defense Base Closure & Realignment Commission

3. Date of nomination:

February 8, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

December 22, 1928; St. Louis, MO.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Rosalyn Marie Hause Kling.

7. Names and ages of children:

Stephen L. Kling, Jr., 40; Frank F. Kling, 32; Lee C. Kling, 30; and Allan B. Kling, 22.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

New York Military Academy, Cornwall-on-Hudson, NY, 1942-46.

Washington University, St. Louis, MO, B.S.B.A., 1946-50.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Chairman of the Board, Landmark Bancshares Corp, 1401 South Brentwood, 10th Floor, St. Louis, MO 63144, July 1975 to December 1991.

Chairman of the Board, Kling Rechter & Co., 1401 South Brentwood, Suite 800, St. Louis, MO 63144, September 1991 to present.

Advisor and Managing Director, Willis Corroon Corp. of MO, 8112 Maryland Ave., St. Louis, MO 63105, August 1994 to present.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Amtrak, Board of Directors, 1979.

Assistant Counselor for Inflation and Deputy to Ambassador Robert S. Strauss, 1978.

Economic Advisor for the Private Sector to the Peace Negotiations between Israel and Egypt, 1979.

Co-Chairman, Citizens Committee for Passage of the Panama Canal Treaty, 1977.

Co-Chairman, Citizens Committee for Passage of the Caribbean Basin Initiative, 1982.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Falcon Products, Inc. - Director.
 Top Air Manufacturing Company - Director.
 E-Systems, Inc. - Director.
 Magna Group, Inc. - Director.
 Hanover Director, Inc. - Director.
 Lewis Galoob Toys, Inc. - Director.
 Bernard - Chaus, Inc. - Director.
 National Beverage Corp. - Director.
 C.F. Corp. - Officer.
 Acoustics Development Corp. - Director.
 Kling Rechter & Co. - Officer.
 KLJA Barge Line - Partner.
 KMZC Barge Line - Partner.
 Clayton Transportation Company Partner.
 Legends Country Club et al - Partner.
 New Legends Associates, Inc. - Director.
 Premier Legends Partners LLC - Partner.
 Fairway Oaks Partnership - Partner.
 Breckenridge Stone, L.P. - Partner.
 Grayling Farms - Partner.
 Grayling Appaloosa, Inc. - Officer.
 Kupper Parker Communications - Director.
 Willis Corroon Corp. of MO - Advisor.
 Magna Trust Company - Director.
 E-MASS, Inc. - Director.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Jewish Hospital of St. Louis - Board.
 Central Institute for the Deaf - Trustee.
 Missouri Historical Society - Trustee.
 Arthritis Foundation of Greater St. Louis - Board.
 National Conference of Christians & Jews - Board.
 Eureka Development Commission- Board.
 Saint Louis Club - Member.
 Legends Country Club - Member.
 Standard Club - Non-resident Member.
 Westwood Country Club - Member.
 F Street Club - Member.
 Young Presidents Organization 49er - Member.
 Lloyd's of London - Member.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Finance Chairman, Democratic National Committee, 1974-77.
 Treasurer, Democratic National Committee, 1976.
 Chairman, Democratic House and Senate Council.
 Co-Chairman, Democratic Congressional House and Senate Dinner, 1977.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Treasurer, Gephardt for President Committee.
 Co-Chairman, Geri Rothman-Serot for Senate Campaign.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

1990

03/05	\$1,000.00	Citizens for Buzz Westfall
03/06	250.00	Russ Carnahan for Congress
04/23	500.00	Tom Harkin Reelection Committee
06/12	250.00	Friends of Jim O'Meara
07/30	1,000.00	Citizens for Buzz Westfall
09/21	1,000.00	Gephardt in Congress Committee

09/21	1,000.00	Gephardt in Congress Committee
11/05	480.00	Building Trades Political Education Fund
12/03	100.00	Friends of Martie & Dave (Aboussie)
1991		
05/13	400.00	Citizens to Re-elect Virvus Jones
07/23	250.00	Americans for Harkin
08/09	500.00	Citizens for Griffin
10/16	1,000.00	Gephardt in Congress Committee
11/26	1,000.00	Peacock for Senate
1992		
04/23	500.00	Friends of Matt McCormick
05/08	100.00	Franklin Countians to Elect Tom Fenner
06/22	1,000.00	Friends of Geri Rothman-Serot
06/22	1,000.00	Gephardt in Congress Committee
08/28	1,000.00	Carnahan for Missouri
09/03	1,000.00	Friends of Geri Rothman-Serot
10/05	1,000.00	Democratic Senate Campaign Committee
10/09	500.00	Victory 92 Federal - Clinton
10/20	1,000.00	Wilson for Lt. Governor
10/26	1,000.00	Carnahan for Missouri
12/01	1,000.00	Missouri Effective Government Committee - Gephardt
12/18	3,250.00	Presidential Inaugural Committee
12/28	500.00	Ribaudo for Mayor
1993		
02/03	500.00	Virvus Jones for Controller
02/03	500.00	Jim Shrewsbury for Controller
02/17	300.00	Citizens for Bosley
03/17	250.00	Citizens to Re-elect Virvus Jones
03/23	1,000.00	Missouri Democratic Party
03/25	750.00	Citizens for Bosley
05/03	1,000.00	Missouri State Democratic Committee
06/09	1,500.00	Citizens for Westfall Committee
06/29	500.00	Ike Skelton for Congress Committee
07/28	1,000.00	Durbin for Congress
10/25	1,000.00	Gephardt in Congress Committee
11/01	250.00	Citizens for Bosley
11/16	500.00	Friends of Patrick J. Kennedy Committee
11/16	250.00	Democratic National Committee - Tipper Gore Luncheon
12/02	500.00	Friends of Marsha Murphy
12/31	500.00	Friends of Alan Wheat
1994		
01/24	250.00	Dee Joyce Hayes for Circuit Attorney
02/17	1,000.00	Buzz Westfall, County Executive
03/31	1,000.00	Leahy for U.S. Senator Committee
05/15	500.00	Alan Wheat for Senate
05/20	500.00	Alan Wheat for Senate
06/14	2,000.00	Majority Leader's Victory Fund - Gephardt
06/15	250.00	Friends of Marsha Murphy
08/25	500.00	Synar for Congress
08/26	1,000.00	Robb for Senate Committee
09/02	1,000.00	Scott Buescher Campaign
09/22	150.00	Citizens for Westfall
10/07	500.00	McCulloch for Prosecutor
10/14	1,000.00	Friends of Alan Wheat
10/22	500.00	Scott Buescher Campaign
12/07	200.00	Friends of Francis Slay

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Distinguished Service Award, Democratic National Committee.

Distinguished Business Alumni Award, Washington University.

Construction Man of the Year Award, Missouri Building & Construction Trade Council.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

S. LEE KLING.

This 8th day of February, 1995.

[The nomination of S. Lee Kling was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

[Prepared questions submitted to Benjamin F. Montoya by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. The only military base with which I have direct involvement is Kirtland AFB in Albuquerque, NM. I am the President and CEO of the local utility company which provides power and gas to the base. Our company receives approximately 1 percent of its revenues from Kirtland so I don't consider this such an impact that I should recuse myself but would certainly be willing to if found necessary.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. No.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. Yes. I lived in Sacramento, CA during the time when Mather AFB and the Army Depot were designated for closure and McClellan AFB was under consideration.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. During my 31 plus years in the Navy as a Civil Engineer Corps Officer, I was involved in various capacities in the planning, designing, construction and maintenance of Navy and Marine Corps bases and facilities. I also was directly involved in the Navy's environmental protection programs from 1970 to 1981 and indirectly thereafter.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. I need to become current with the force structure planning for the Department of Defense and each of the services. I also need to update my knowledge of the common or similar logistics activities being conducted by each service.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. I believe the major challenges will involve ascertaining that bases designated for closure meet the criteria, that all affected get a chance to participate in an open process and, finally, that issues raised by a base closure or realignment are adequately addressed.

If confirmed, I'll be an active member of the Commission in seeing that these challenges are realized and met.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. Becoming knowledgeable enough on all the complex issues inherent in the base closure process so that I can make an informed judgment. This will be a chore in the short time available.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. I will read, travel and listen for the amount of time necessary.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. I have no opinion.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. Going into this process I have no preconceived notions as I have not been close to the military since retired in December of 1989. I'll want to ensure that each service can effectively perform its mission after we complete our process.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. I have no doubt of my ability and capability to do exactly that. Yes.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. I will strain to champion the idea of openness to all concerned in this process. Our recommendations will have such significant impact on lives and communities that we can't afford to isolate ourselves from information. I will be available and accessible.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. The only chance is for the Commission to be open, forthright and candid in its deliberation processes.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. Having been personally involved in DOD's environmental clean-up programs, I am aware of the obligation to come into compliance with the law whether a base is open or not. So, I don't believe this cost is a relevant factor in the base closure decision matrix.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. It is important that the perception not be permitted to persist. If it is to be dispelled, it will be through an open, searching process. I will work closely with my peers, staff and the parties directly affected to see that all relevant data is obtained, analyzed, and considered before conclusions are reached.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. I understand the past commissioners, in a shorter time period, have been able to visit all bases, and conduct hearings for the input of all affected. With an additional 2 weeks we should be able to do the same.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. I believe one of the advantages of having seven commissioners, plus the chairman is to ensure that no one base is given less consideration than another.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and

Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. I understand that the Commission is aware of the efforts toward cross-servicing and has therefore organized the review and analysis staff to address its functions.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. In this very difficult, controversial process, there is a great advantage and an element of fairness in staying with the same criteria as used before. I will not approach the process with blinders on, however, and will be alert for changes which might be made for the future.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. I believe it is.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. The current criteria, I believe, are adequate to address the issues.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. If during its deliberations, the Commission is made aware of such costs and they are of such magnitude to make them material in a comparison process, I would support taking them into consideration.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. I would pose the question: Is this installation vital to support the service in performing its mission? If the answer is yes, I would further inquire as to the alternatives. At the end of the inquiry, however, the services' ability to carry out its assigned mission must not be degraded.

[The nomination reference of Benjamin F. Montoya follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Benjamin F. Montoya, of New Mexico, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Arthur Levitt, Jr., term expired.

[The biographical sketch of Benjamin F. Montoya, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF BENJAMIN F. MONTOYA

Benjamin F. Montoya is currently the President and Chief Executive Officer of Public Service Company of New Mexico, an investor-owned public utility serving gas, electricity, and water throughout the State.

His private sector career, which began in 1989 when he retired from the Navy, has included the positions of Manager, Vice President, and Senior Vice President of Pacific Gas and Electric Co., San Francisco.

Mr. Montoya enjoyed a distinguished and decorated U.S. Navy career spanning 31 years, rising to the rank of rear admiral. He served as Commanding Officer of the Navy Public Works Center in San Diego, CA, Commander of the Western Division Naval Facilities Engineering Command in San Bruno, CA, and Director of the Shore Activities Division in the Office of Deputy Chief of Naval Operations (Logistics) in Washington, DC. From 1987-1989, he assumed the duty as Commander of the Naval Facilities Engineering Command and Chief of Civil Engineers. Mr. Montoya was selected to the of rear admiral in March, 1987.

His awards include the Legion of Merit Bronze Star Medal with Combat "V", Meritorious Service Medal, Navy Commendation Medal and the Navy Achievement Medal.

Mr. Montoya is a graduate of the U.S. Naval Academy. He also holds a Bachelor of Science degree in civil engineering from Rensselaer Polytechnic Institute, a Master of Science degree in sanitary engineering from Georgia Institute of Technology.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Benjamin F. Montoya in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Benjamin F. Montoya.

2. **Position to which nominated:**

Commissioner, Base Realignment and Closure Commission

3. **Date of nomination:**

February 8, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

May 24, 1935; Indio, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Virginia Cox Montoya.

7. **Names and ages of children:**

Benjamin A. Montoya, 35; Christopher R. Montoya, 34; Patrick A. Montoya, 33; Michael J. Montoya, 32; David M. Montoya, 31; Teresa M. Montoya, 23; and Natasha L. Montoya, 22.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Coachella Valley High School, 1949-1953.

California Polytechnic Institute, 1953-1954, none.

U.S. Naval Academy, 1953-1958, BS, June 4, 1958.

Rensselaer Polytechnic Institute, 1959-1960, BCE, June 1960.

Georgia Institute of Technology, 1967-1968, MS, June 1968.

Georgetown University Law School, 1976-1980, JD, June 1980.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

President & CEO of Public Service Company of New Mexico, Albuquerque, NM; August 1993 to present.

Officer, Pacific Gas & Electric Company, San Francisco, CA; December 1989 to July 1993.

Officer, U.S. Navy, (Flag Officer from 1986 to 1989); June 1958 to November 1989.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above. 10. Government experience:

Board of Visitors - U.S. Naval Academy, 1994 to present.

California State Board of Education, 1991 to 1993.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

President & CEO & Director - Public Service Company of New Mexico.

Director - Brown & Caldwell Engineers, Pleasant Hill, CA.

Director & Stockholder - The Environmental Company, Charlottesville, VA.

Advisory Director, Norwest Bank, Albuquerque, NM.

Advisor, University of New Mexico School of Engineering, Albuquerque, NM.

Advisor, NM State University, School of Business, Las Cruces, NM.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member, Society of Hispanic Professional Engineers.

Member, Association of Naval Services Officers.

Member, Society of American Military Engineers.

Member, American Society of Civil Engineers.

Member, National Society of Professional Engineers.

Member, District of Columbia Bar Association.

Member, NM Governor's Business Executives for Education.

Trustee, Albuquerque Community Foundation.

Director, Central NM United Way.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Member, National Republican Party.

Member, Republican Party of California (only a contributor).

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

Public Service Company of New Mexico, Political Action Committee (PAC), Responsible Citizens Group (RCG).

Governor Pete Wilson, California.

Governor Gary Johnson, NM.

Republican Party, State and National.

Congressmen Duke Cunningham (R), California.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Tau Beta Pi - Engineering Society.

Hispanic Engineer of the Year - 1989 (From Society of Hispanic Professional Engineers).

Defense Distinguished Service Medal.

Legion of Merit (Two).

Bronze Star with Combat V.

Meritorious Service Medal.

Navy Commendation Medal.

Navy Achievement Medal.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

BENJAMIN F. MONTOYA.

This 8th day of February, 1995.

[The nomination of Benjamin F. Montoya was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

[Prepared questions submitted to Wendi Louise Steele by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or realignment of a particular base or type of base? If so, please describe.

Answer. Not at this time.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. In 1991, I worked for the Defense Base Realignment and Closure Commission as its Senate liaison without bias for or against any installation slated for closure or realignment. During the 1993 round of BRAC, I was the defense legislative assistant for Senator Nickels. In that capacity, I worked to support the Senator's constituent interests which were under review by the Commission.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. I lived in the National Capitol Region during both the 1991 and 1993 rounds of the Commission.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No—I would be fair, objective, and impartial toward all installations.

DUTIES

Question. Section 2687 note of title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. My experience on the staff of the 1991 Commission provides me with a working knowledge of how to reflect the intent of the letter of the BRAC law ("fair process", "public hearings", etc.) in the day-to-day operations of the Commission.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. No.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. A challenge for the Secretary of Defense and the 1995 Commission is that the margin of comparison between installations within the same category will most often be much slighter than in earlier rounds. If confirmed, I will work with the other commissioners to ensure that those installations slated for closure and realignment are truly the most appropriate option. Second, cross-service categories will likely provide many challenges to the Commission.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. Each commissioner must consider and review a vast amount of information regarding numerous installations over a period of several months. The challenge, therein, is to give all of this information, and those who are providing it, the same focused level of attention and consideration throughout the whole process.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. If confirmed, I would devote as much time as necessary to ensure that I was fully informed on the issues. Given that I am a writer by profession and set my own schedule, I do not have to worry about juggling competing professional priorities.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. No. If I did, I would be serving myself and not the American people.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. While I am aware of areas addressed by previous BRAC commissions which were deemed to have excess capacity or hold opportunities for potential cross-servicing, I do not hold any preconceived ideas as to how the Secretary or the Commission might choose to address these apparent issues.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Yes, without a doubt.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. If confirmed I will work with the Chairman and the other commissioners to ensure that all potentially affected local communities receive a public regional hearing. In addition, I would participate in site visits throughout the review process of many of those installations.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected if the process is conducted with integrity. What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. First, all Commission meetings and hearings are conducted in an open forum. Second, the Congress and the public should be able to review in a timely manner all relevant documents prepared by DOD and the Commission staff.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open. What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. It is my understanding that the Secretary of Defense does not take into account direct environmental clean-up costs as a measure for or against the closure or realignment of military installations. That seems to be appropriate guidance under most conceivable circumstances.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations. What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. I feel that the amendments to the BRAC statute regarding the availability of information prepared by the Department of Defense greatly assist both the Congress and the public in their review and analysis of the information made available to the Commission. Also, it is my understanding that the GAO has been involved in DOD's process from the earliest stages of review for BRAC 95, and their testimony before the Commission will provide an opportunity to ensure that all relevant information has been considered by the Department.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined. If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of these facilities given the short period of time the Commission has to complete its review?

Answer. I don't anticipate any problems for the Commission to complete a thoroughly independent review of the Secretary's recommendations. Though his January 7, 1994 Departmental memorandum stated that, "an overall 15 percent reduction in plant replacement value should be considered a minimum DOD-wide goal," recent press statements by the Secretary point to a much smaller load.

Question. How will the Commission ensure that all facilities are treated equally in the commission's review process?

Answer. For each of the Secretary's recommendations, the Commission must independently review all possible alternatives within those categories to ensure that all bases are treated fairly and equally.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross-Service Groups to study and recommend ways to consolidate workloads across the services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. It is my understanding that the Commission's Review and Analysis staff structure has been reorganized to address the cross-service issues. I would hope that the Secretary's recommendations in these areas will cause the Commission to merge some categories which were considered in isolation by specific services in the past.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993. What are your views on this decision?

Answer. I feel the final selection criteria used in both the 1991 and 1993 rounds remain sound and all involved in the BRAC process will be well-served by their continued use in 1995.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes. The guidance prepared by the Department of Defense for BRAC 95 entitled, "Economic Impact Analysis for BRAC 95" specifically addresses the consideration of cumulative impact when comparing alternatives.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. No. I am completely confident that the Secretary's final selection criteria fully and completely meet the needs and requirements of the BRAC process.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to State and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round. What are your views on this decision?

Answer. Where the costs to another Federal agency of a proposed base closure or realignment out-weigh anticipated savings, I would assume that the Commission would closely evaluate that information before making any final recommendations.

Question. Military necessity is the determinative selection criteria for a closure or realignment. In your view what are the key elements of military necessity?

Answer. How an installation compliments overall DOD base structure to meet mission requirements is a key element of military necessity. It is important that the base structure as a whole maintains the ability to be flexible for future changes in both force structure and military requirements.

[The nomination reference of Wendi Louise Steele follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 8, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Wendi Louise Steele, of Texas, to be a Member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Harry C. McPherson, Jr., term expired.

[The biographical sketch of Wendi Louise Steele, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF WENDI L. STEELE

Wendi L. Steele served as the Senate liaison for the Defense Base Closure and Realignment Commission in 1991. She began her career in the Reagan administration, working in the legislative affairs offices of both the Office of Management and Budget and the White House. Following her service in Washington, Mrs. Steele was a congressional and economic analyst for the Defense and Space Group of the Boeing Company in Seattle, WA. She returned to DC during the Bush administration and worked for the Assistant Secretary for Legislative and Intergovernmental Affairs of the U.S. Department of Commerce. In 1995, she staffed defense, veterans' affairs, foreign policy and trade issues for Senator Don Nickles R-OK.

Mrs. Steele currently resides with her husband Nick in Houston, TX, where she is a writer.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Wendi Louise Steele in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Wendi Louise Steele; Wendi Louise Petsinger.

2. **Position to which nominated:**

Commissioner, Defense Base Closure and Realignment Commission

3. **Date of nomination:**

February 8, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

July 31, 1962; Pittsburgh, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to William Nicholas (Nick) Steele, Jr.

7. **Names and ages of children:**

William Nicholas Steele III, 25; and Danielle Elaine Merkle, 23.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Grove City College, September 1980 to May 1984, B.A. Economics, May 1984.

Georgetown University, June 1983 to July 1983, two summer courses.

Upper St. Clair High School, September 1976 to May 1980.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

- *Senator Don Nickles*—Legislative Assistant for Defense, Foreign Policy and Trade.

Staffed Senator Nickles for his Senate Appropriations Subcommittee assignments on Defense and Foreign Operations. Responsible for legislative matters relating to defense, base closure, U.N./foreign command, veterans affairs, foreign policy, trade and immigration. (February 1993 – March 1994)

- *The U.S. Department of Commerce*—Special Assistant to the Assistant Secretary for Legislative and Intergovernmental Affairs.

Apprised Assistant Secretary Mary Jo Jacob of all significant developments relating to the Office of Legislative and Intergovernmental Affairs. Served as the liaison between the Assistant Secretary and the 14 departmental congressional directors and the General Counsel's Office. Prepared legislative reports and coordinated special projects. Involved in all aspects of the Department's clearance process for congressional documents. (July 1992 – January 1993)

- *The Defense Base Closure & Realignment Commission*—Office of Legislative Affairs, Senate.

Established and briefed the Commission's formal procedures for interface with the Congress and the public. Organized and supervised numerous Commission hearings to accommodate the testimony of hundreds of community leaders and over 150 U.S. Senators and Representatives. Represented the Commission before the Congress and responded to inquiries from Members, personal and professional staff. (April 1991 – January 1992)

- *Rockwell International*—Manager, Legislative Programs.

Represented Rockwell International and its interests to the U.S. Congress. Responsible for briefings, white papers and relevant material on North American Aircraft programs to Members of Congress, their staff and professional committee staff. (April 1990 – February 1991)

- *The Boeing Company*—Congressional Economic Analyst. Defense & Space Group, Seattle, WA.

Analyzed national security concerns including current and anticipated congressional issues, the balance of U.S./Soviet strategic power and potential developments in arms control negotiations. Produced white papers on these and other subjects for Boeing's interface with the Congress, the administration and the Department of Defense. (February 1989 – March 1990)

- *The White House*—Office of Legislative Affairs, Senate.

Prepared Presidential briefing papers and talking points for meetings with congressional leadership. Acted as a liaison between the White House and Senate offices regarding legislative issues and Presidential appointments. Briefed Bryce L. (Larry) Harlow, Special Assistant to the President for Legislative Affairs, on significant White House and congressional developments. (January 1987 – December 1988)

- *The Executive Office of the President*—Office of Legislative Affairs, The Office of Management and Budget.

Hired by Representative Fred Upton as his Confidential Secretary. When Upton was replaced by Bryce L. (Larry) Harlow, I was promoted to Administrative Assistant. In that capacity, I managed O.M.B.'s flow of legislative information between the executive branch and congressional offices. Administered daily operation of the office including response to Member inquiries on budgetary matters and administration policy. (February 1985 – December 1986)

- *The Committee for the 50th American Presidential Inaugural*—Assistant to the Producer.

Assisted the Producer, Robert Jani, in the production and Presidential/VP advance for Inaugural festivities including the Prelude, the Presidential Gala, the Inaugural Balls and the Inaugural Parade/Capital Center event. Responsibilities demanded an awareness of detail, quick-thinking and an absolute dedication of time and energy. (December 1984 – January 1985)

- *The Office of Vice President Bush*—Intern for the Office of the National Narcotics Border Interdiction System, which was the precursor to the Office of National Drug Control Policy.

Compiled, interpreted and input narcotic seizure data from U.S. Customs, U.S. Coast Guard and all other agencies. (June 1984 – November 1984)

- *The White House*—Intern for the Office of Public Liaison.

Assisted in coordinating Residence and Executive Building briefings, receptions and other Presidential events, helped facilitate the distribution of Presidential correspondence and personalized official photographs. (Summer 1983)

- *The Heritage Foundation*—Intern. (Summer 1982)

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

United States Senate, Office of Senator Dole, November 1994.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

None.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Volunteer for the Bush-Quayle Re-election Campaign Committee.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

\$100, Senator Kay Bailey Hutchison's Re-election Committee.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

American Council for Young Political Leaders.

Foundation for Economic Education.

American Field Service.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I delivered a speech on the BRAC process to the Governor of Kansas' task force in November of 1994. I did not use a prepared text.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

WENDI LOUISE STEELE.

This 27th day of January, 1995.

[The nomination of Wendi Louise Steele was reported to the Senate by Senator Strom Thurmond on February 22, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

**NOMINATION OF MS. SHEILA C. CHESTON TO
BE GENERAL COUNSEL OF THE DEPART-
MENT OF THE AIR FORCE; AND MAJ. GEN.
JOSUE ROBLES, JR., USA (RET.) TO BE A
MEMBER OF THE DEFENSE BASE CLOSURE
AND REALIGNMENT COMMISSION**

TUESDAY, FEBRUARY 28, 1995

**U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, DC.***

The committee met, pursuant to notice, at 10:05 a.m. in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond and Levin.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; Ann M. Mittermeyer, assistant counsel; Christine K. Cimko, press secretary.

Professional staff member present: Romie L. Brownlee.

Minority staff members present: Patrick T. Henry and Frank Norton, professional staff members.

Staff assistants present: Menge Crawford and Deasy Wagner.

Committee members' assistants present: Glen E. Tait, assistant to Senator Kempthorne; Andrew W. Johnson, assistant to Senator Exon; John P. Stevens, assistant to Senator Glenn; and Lisa W. Tuite, assistant to Senator Byrd.

**OPENING STATEMENT OF SENATOR STROM THURMOND,
CHAIRMAN**

Chairman THURMOND. The committee will come to order. The committee meets today to consider two nominations. This is a busy day in the Senate and we may be required to stop this hearing around 11 o'clock. If we do, we will simply reconvene as soon as possible at the call of the Chair.

The first nominee is Ms. Sheila C. Cheston to be the General Counsel for the Department of the Air Force. Ms. Cheston obtained a Bachelor of Arts Degree from Dartmouth College and received her Juris Doctor from Columbia University School of Law.

She began her career as a law clerk for a judge in the Ninth Circuit Court of Appeals. Within a year she was an associate in the law firm of Wilmer, Cutler & Pickering, one of the best known law

firms in Washington, DC. Shortly after joining the firm, she became a partner.

In 1993, Ms. Cheston became the General Counsel for the Base Closure and Realignment Commission and served there until she was chosen to be the Deputy General Counsel for the Department of the Air Force. She is still the Deputy General Counsel and today we meet to determine if we should give our advice and consent to her becoming the General Counsel.

Ms. Cheston, it is a pleasure to have you here today. I would like to introduce some people I know are very important to you. We are pleased to have with us today Ms. Cheston's mother, Mrs. Gabrielle Cheston. Would you please raise your hand, Mrs. Cheston? Mr. Theodore Cheston, Ms. Cheston's father, is also with us. Would you please raise your hand?

I understand that you both live in Bethesda, MD, and that you will be close by so that when your daughter needs advice she can give you a call. [Laughter.]

Mr. Peter Cheston has come all the way from New York to be with his sister today and we would like to welcome you as well. Thank you for coming. Raise your hand, Mr. Cheston. Ms. Cheston, do you care to make a statement?

STATEMENT OF MS. SHEILA CHESTON, NOMINEE TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE AIR FORCE

Ms. CHESTON. Thank you, Mr. Chairman. I have just brief opening remarks. I appreciate your kind comments and for taking the time to introduce my family.

I am honored to appear here today before you as President Clinton's nominee for General Counsel of the Air Force. As you commented, I, for the past year and a half, have been serving as the Deputy General Counsel of the Air Force. In that capacity, I have had the privilege of working with the extraordinarily dedicated men and women of the U.S. Air Force and with the many exceptionally talented military and civilian lawyers in the Department of Defense.

If confirmed, I look forward to continuing to work with Secretary Widnall, with the members of this committee, and with the defense community in resolving the diverse and complex legal aspects of the many challenges that face the Department of the Air Force.

I have appreciated the opportunity to meet recently with members of the committee and the staff, and I would be happy to answer any questions that you may have.

Chairman THURMOND. We will now proceed with questions, and in order to complete the hearing within the time constraints imposed by the Senate rules, we will limit the questions to 5 minutes per member on the first round.

Now, the committee remains concerned about activities of nominees and prospective nominees prior to confirmation. I need to ask you a series of four questions, Ms. Cheston, that we ask all nominees, and ask you to answer them to the best of your ability in light of your recent activities.

First, what positions in the Department of Defense have you occupied prior to confirmation?

Ms. CHESTON. I have occupied the position of Deputy General Counsel of the Air Force.

Chairman THURMOND. Second, have you adhered to the applicable laws and regulations governing conflicts of interest?

Ms. CHESTON. Yes, I have.

Chairman THURMOND. Third, I realize that you have been serving as Acting General Counsel in the Department of the Air Force and the counselor for the Base Closure and Realignment Commission. Would you briefly describe what types of authoritative decisions and guidance you have been called on to provide?

Ms. CHESTON. By virtue of being the Deputy General Counsel and the senior ranking lawyer in the Air Force, I have served, as you say, as the Acting General Counsel and in that capacity have fulfilled the roles of the legal responsibilities of that office. However, I have not taken any steps to presume the outcome of this confirmation process. For example, I have not physically moved into the office of the General Counsel.

Chairman THURMOND. Have you assumed any duties or undertaken any actions that would appear to presume the outcome of the confirmation process?

Ms. Cheston. No, I have not.

Chairman THURMOND. Now, a fair and impartial conduct of the promotion and selection process is a matter of great concern to the Senate Armed Services Committee. In your view, what is the responsibility of the General Counsel in ensuring that the process, including the procedures governing provision of information to selection boards and throughout the selection process, is conducted in a fair and impartial manner?

Ms. CHESTON. First, let me say that I share the committee's concern and I think it is very important that the promotion process is a fair and open one. The Office of the General Counsel plays a number of roles in that process, from reviewing the memorandum of instruction that goes to the board, to considering substantiated unfavorable information statements, their disclosure to the board and subsequently to this committee, and I will do everything I can to ensure that that process remains as fair and open as possible.

Chairman THURMOND. What are your views on the ability of an individual to serve upon active duty who declares that they are homosexual but promises to restrain from homosexual acts?

Ms. CHESTON. I support the position of the Department of Defense and this committee, I believe, in that homosexual conduct is incompatible with military service.

Chairman THURMOND. One of the primary responsibilities of the General Counsel of the Air Force is to provide legal advice to acquisition officials. What are your major challenges and priorities in terms of the new acquisition reform legislation?

Ms. CHESTON. They are numerous. At the moment, lawyers from my office are working with the policy officials to help draft regulations that will implement the new statutory guidelines. Once those regulations are in place, we will work with the program executive officers and the others in the acquisition community to ensure that they are implemented fully and fairly.

Chairman THURMOND. Thank you. Senator Nunn is unable to be here. He has asked that we place a statement in the record. The

statement by him, without objection, will be placed in the record at this point.

[The prepared statement of Senator Nunn follows:]

PREPARED STATEMENT BY SENATOR SAM NUNN

Thank you Mr. Chairman. Ms. Cheston, Mr. Robles, it is a pleasure to welcome you here today as the committee considers your nominations.

Ms. Cheston, as you know, the Department of Defense, and the Department of the Air Force, are facing and will continue to face challenging times as the Nation moves through the post-Cold War era.

Many of these challenges involve major changes in size, composition, and roles of our military forces. The next General Counsel of the Air Force will have the opportunity to play a vital role by ensuring that the Secretary of the Air Force receives professional, objective legal advice as she grapples with a very broad range of issues including the employment of forces, continued force reductions, base closures, and defense conversion, to name a few. If confirmed, you will have plenty on your plate.

Mr. Robles, it is rather auspicious that we are considering your nomination on the day the administration's base closure list is to be announced.

The challenges facing the Base Realignment and Closure Commission cannot be overstated. If confirmed, you and the other members of the Commission will be faced with very difficult but very important decisions that will affect, not only our military infrastructure, but also the lives of countless Americans whose livelihoods are tied to military bases.

Ms. Cheston, Mr. Robles, from your resumes, the information you have provided to the committee and my knowledge of your backgrounds, it is clear that both of you have the talent and experience required by the positions to which you have been nominated.

Again, I would like to thank you for joining us today.

Chairman THURMOND. Ms. Cheston, we want to thank you for your appearance this morning, and again, congratulations on your nomination. We think you are well qualified and we wish you much success in this new assignment.

Ms. CHESTON. Thank you very much, Mr. Chairman.

Chairman THURMOND. You are now excused.

The committee will now consider the nomination of Maj. Gen. (Retired) Joe Robles to be a commissioner on the 1995 Defense Base Closure and Realignment Commission.

After considerable consternation, the committee received the General's nomination last evening. I realize that holding a hearing on the nomination this quickly is highly unusual. However, I believe the circumstances warrant an exception to the standard policy since the Secretary of Defense is announcing the list of bases recommended for closure as we speak.

General Robles, we welcome you and appreciate your willingness to appear before the committee on this short notice. You had a distinguished Army career during which you served with distinction at all levels, including as a Division Commander. Your assignment as the director of the Army budget will be most useful to the Commission as it considers the budgetary implications of closing the various installations.

I want to congratulate you on your nomination and on behalf of the committee, thank you for agreeing to serve on the Defense Base Closure and Realignment Commission.

General Robles has responded to the advance policy questions and his responses were provided to the members' offices last evening.

Without objection, I will have both witnesses' questions and answers inserted in the record at the appropriate place.

I hope the committee will be able to vote on the nomination as soon as possible; however, not until all the appropriate paperwork has been reviewed and every member has had an opportunity to have his concerns addressed.

General Robles, what, in your view, is the benefit of the base closure process when, in fact, it displaces thousands of workers and in many cases, creates economic havoc in a community?

STATEMENT OF MAJ. GEN. JOSUE ROBLES, JR., USA (RET.) TO BE COMMISSIONER OF THE BASE CLOSURE AND REALIGNMENT COMMISSION

General ROBLES. Well, Senator, I think it is true that there is turbulence and a big economic impact on all the communities that are affected by the base realignment and closure process, but I think in all fairness, that the Commission was established to put some objectivity and fairness and openness in the process. The overriding strength of this whole process, is that it lets folks who can look at the process objectively look at the recommendations that come up from the Secretary of Defense, subjectively ensure that there has been a fair analytical process that has developed a list and then give all the affected parties, communities, interested folks, a chance to be heard about the impacts on their particular aspect of the list or installation or closure. So I think the answer is that it is very much the openness of the process and the objectivity of the process.

Chairman THURMOND. General, within authority, past commissions have added bases to the Department's base closure list. In my judgment, these additions were in some instances not justified by the facts but satisfied a political agenda.

Most of the bases added by the Commission were not included on the final list but did cause both emotional and economic distress to the impacted communities. What are your views regarding the Commission adding bases to the study list?

General ROBLES. Well, Senator, I think that I understand that when you add a significant number of additional installations or realignments to the Secretary of Defense's list that it does cause a lot of consternation and a lot of concern.

But I think, also, in all fairness, that you need to have that ability in case there is a substantial deviation from the force structure plan as made by the Secretary of Defense in his list, and the Commissioners believe there needs to be some additions made, that they have the flexibility to do that.

I think it really does give you some fairness, total fairness, in the process in which if there are some installations or actions that are for some reason modified from the Secretary's original list, you have the ability to go ahead and add if it makes sense to do that. I just have no feel for the magnitude for those additions and I certainly can't preordain the process. I would be very surprised if there is a material number of additions but you have to have some flexibility in the process.

Chairman THURMOND. General Robles, I am very concerned that as the Department is closing military installations which include vast expanses of terrain required for training of our Armed Forces, we may never again be able to obtain such landholdings. What are

your views on the disposal of the training areas that are associated with some of these installations?

General ROBLES. I certainly think that is one of the central issues in the whole base closure process. Obviously the overriding criterion is the military value of these installations and high on the military value are the current needs and future needs of the Department of Defense. If, in fact, the Department of Defense's force structure plan says that they may need these facilities for future mobilizations or for future contingencies, then it is going to be that particular installation that will be highly rated in military value and probably would not appear on the list.

So I understand the concern. No one wants to give up good, well-run, well-equipped military installations that are used for training our force structure or training our forces, and we will just have to assess if there are any of those types of installations on the list and what is their military value and why they were put on the list. But I share your concern.

Chairman THURMOND. General Robles, during your distinguished career, you served on numerous military bases, including as a commanding general at Fort Riley. Are you prepared to recuse yourself if any of these bases are recommended for closure?

General ROBLES. I certainly think that first of all I need to address that point head-on. Just because I served as a commanding general at Fort Riley does not mean that I have any more particular interest in that base than I did in all the other bases I served through almost 30 years of military service, and I think what I bring to the process is objectivity.

When I was director of the Army budget, to which you alluded, I was pretty objective and had to make a lot of hard calls across a lot of installations, and I am prepared if any of the bases that I have served on previously are on the list to use the same degree of objectivity.

But I will also parenthetically say that if it is in the belief of our counsel and of the Chairman and other folks on the Commission, that I should recuse myself because of even the appearance of nonobjectivity, then I certainly would do that in a minute, but I believe that I will, throughout this process, maintain a straightforward, objective view, and I do not think that will be an issue.

Chairman THURMOND. I have a statement here by Senator Dole, and without objection, I will place this in the record.

[The prepared statement of Senator Dole follows:]

PREPARED STATEMENT BY SENATOR BOB DOLE

Mr. Chairman, I wish to express my deep gratitude to General Robles for his willingness to serve as a Commissioner on the 1995 Base Realignment and Closure Commission. This will be a time-consuming and difficult task and I commend him for his strong commitment to service.

After reviewing the accomplishments of his outstanding career in the U.S. Army, I know that the Armed Services Committee and the Senate as a whole will agree that General Robles is a true expert in the issues facing the Commission—right down to the details. His service as the Assistant Division Commander of the 1st Cavalry Division, Director of Army budget, and Commanding General of the 1st Infantry Division (MECH) have provided General Robles with high level, hands-on experience that will serve this process in the way it was intended.

I know Joe Robles from his days when he commanded the Big Red One at Fort Riley. He is a first rate soldier. Joe is a straight shooter, candid, and fair. To the chairman and the other commissioners, I submit that you will find it both instruc-

tive and a pleasure to work with General Robles over the course of these deliberations.

I know of no other individual who brings the level of expertise coupled with the tempering of command that Joe Robles is able to bring to this Commission. I am pleased that he accepted my request to serve on this Commission and I ask the committee to unanimously endorse his nomination.

Chairman THURMOND. Now, General Robles, we are out of time, but I think we can finish this hearing if you answer some questions for the record for us.

I am going to hand you three pages of questions. If you will please answer them as soon as possible, and supply them for the record, I believe that we will preclude the need for you to reappear.

I want to thank you very much for appearing today at this hearing.

General ROBLES. I certainly will be glad to do that.

Chairman THURMOND. If there are no further questions of General Robles, I want to thank him for his appearance this morning and his willingness to serve on the Base Closure Commission.

The next several months will be full of challenges and frustrations and you will not please everyone. All you have to do is do your duty as you see it.

Is there anything else to come up at this hearing? [No response.]

If not, the hearing is adjourned.

[Whereupon, at 10:23 a.m., the hearing was adjourned.]

[Prepared questions submitted to Sheila Cheston by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

February 9, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your kind note of congratulations on my nomination by the President to serve as General Counsel of the Air Force.

I enclose answers to the questions you provided on various defense policy issues. Please let me know if further information would be helpful.

I look forward to appearing before the committee during my confirmation hearing.

Sincerely,

SHEILA C. CHESTON.

Enclosure.

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 7 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reform. Admiral Crowe commented after enactment of the legislation that it would take approximately 6 years for full implementation. Do you support full implementation of these defense reforms?

Answer. I fully support the reforms and will work to implement them effectively and to ensure compliance with the legal requirements of the statutes.

Question. What do you consider to be the most positive accomplishments of the legislation?

Answer. The legislation provided clear guidance on the chain of command, strengthened and clarified the roles and functions of the Secretaries of the military departments, enhanced effective civilian control, increased efficiency and eliminated duplication.

Question. What is your view of the extent to which these defense reforms have been implemented thus far?

Answer. I am not aware of any specific reforms that have not been implemented. If confirmed, I will assist in the continued full implementation of these reforms.

Question. Do you believe that any changes should be made in the underlying legislation?

Answer. No, but if confirmed and if I identify possible changes that I think would be beneficial, I will propose changes through the established process.

Question. What are the central issues in implementation of these measures for the perspective of:

(1) Management of the office of the Air Force General Counsel and the Defense Legal Services Agency?

(2) Delivery of legal services to client organizations within the Department of the Air Force?

Answer. Goldwater-Nichols and related statutes made important improvements in DOD organizational structure based on strong civilian control and effective warfighting capabilities. It is essential that all lawyers within the Department of the Air Force understand the importance of these statutes and provide their clients with objective, accurate, and consistent legal advice on all aspects of Goldwater-Nichols and related organizational statutes.

DUTIES

Question. Section 8019 of title 10, United States Code, provides that the Air Force General Counsel shall perform such functions as the Secretary of the Air Force may prescribe. What is your understanding of the duties of the General Counsel under current regulations and practices?

Answer. The General Counsel is the chief legal officer of the Department of the Air Force. The legal opinions issued by the General Counsel are the controlling legal opinions of the Department. The General Counsel provides legal advice and guidance to the Secretary, Under Secretary, Assistant Secretaries, other offices within the Office of the Secretary, and offices within the Air Staff. The Judge Advocate General is responsible for the administration of military justice. The General Counsel serves as the Designated Agency Ethics Official who is responsible for administration and enforcement of ethics and standards of conduct throughout the Department, and performs any other functions directed by the Secretary.

Question. Assuming you are confirmed, what duties do you expect that Secretary Widnall will prescribe for you?

Answer. If I am confirmed, I believe that the Secretary will expect me to provide sound and timely counsel, to provide an objective, knowledgeable assessment on a broad range of legal issues, and to develop a collegial, professional relationship with the General Counsel of the Department of Defense and other military departments, with the Judge Advocate General and with the legal staffs of other government agencies with which we work. She will expect me to help maintain the highest standards of integrity and to ensure that the Air Force is well served by its legal staff.

Question. What changes, if any, do you anticipate that Secretary Widnall will make in the duties of the Air Force General Counsel?

Answer. I do not anticipate any changes.

Question. What background and experience do you possess that you believe qualifies you to perform the duties of the General Counsel of the Air Force?

Answer. The legal issues that the Department of the Air Force faces are so far reaching that no one lawyer can have in-depth experience in all of them. However, whoever serves as General Counsel should possess good judgment, sound legal and analytical abilities, great integrity, and strong leadership and interpersonal skills. I believe my background and various legal experiences have prepared me to meet these challenges.

For the past 16 months I have served as Deputy General Counsel of the Air Force, including 4 months as Acting General Counsel. During that period I have been involved in all aspects of the General Counsel's office. I have had an opportunity to gain knowledge and experience in the broad range of substantive legal issues the Air Force faces, to better understand the workings of the Air Force and the Pentagon, and to get to know the senior leadership of the Air Force and the DOD legal community.

Prior to joining the Air Force, I served as General Counsel to the Defense Base Closure and Realignment Commission. In that capacity I learned much about the issue of downsizing, the operations of all three services, and military installations throughout the country.

Before entering the government, I was a litigation partner at the Washington, D.C. law firm, Wilmer, Cutler, & Pickering. As a litigator I addressed a wide range

of legal issues, including international, contracts, environmental, financial and employment, in State and Federal courts and before arbitration panels. I believe this broad experience as a litigator will stand me in further good stead if I am confirmed.

Finally, I have devoted a portion of my professional career to teaching. Since 1991, I have taught International Civil Litigation at the Georgetown University Law Center and have spoken on related issues.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. As noted above, as Deputy General Counsel I have been fortunate to have been involved in all aspects of the General Counsel's office, and have gained knowledge and experience in the broad spectrum of legal issues that relate to the operations of the Air Force. If confirmed, I will continue to work with the talented civilian and military lawyers in the Air Force to increase my knowledge in these areas and better serve the Air Force.

Question. Based on your background and experience, are there any changes that you would recommend either internally or to Congress with respect to the organization or responsibilities of the Office of Air Force General Counsel?

Answer. At this time I have no changes to recommend with respect to the organization or responsibilities of the Office of the Air Force General Counsel.

Question. Please describe your understanding of both the formal and informal relationships between the Air Force General Counsel and each of the following:

(1) The General Counsel for the Department of Defense.

Answer. The General Counsel of the Department of Defense is the Chief Legal Officer and final legal authority for the Department. Should our interpretation of the law differ, I will defer to the DOD General Counsel's opinion after advising her of my independent professional opinion. I will frequently interact with the DOD General Counsel in formal meetings and informally concerning matters of mutual interest. I believe an excellent relationship, including information exchange, consultation on significant legal issues and cooperation on litigation, exists between the Office of the Air Force General Counsel and the Office of the DOD General Counsel. If confirmed, I will continue to work closely with the DOD General Counsel in the best interests of the entire Department.

Question. (2) Counsels for the Defense Agencies.

Answer. The General Counsels of the Defense Agencies have a professional and reporting relationship with the DOD General Counsel through the Defense Legal Services Agency. I believe that an excellent relationship of cooperation exists between the Office of the Air Force General Counsel and the various agency counsels. I fully expect to continue that trend to better serve our mutual interests.

Question. (3) The Legal Advisor to the Chairman of the Joint Chiefs of Staff.

Answer. The Legal Advisor to the Chairman is responsible for providing advice and counsel to the Chairman and the Joint Staff on legal aspects of joint operations. I believe that an excellent relationship of cooperation exists between the Office of the Air Force General Counsel and the Legal Advisor to the Chairman, and that the two offices work well together on issues that affect the military departments, the Joint Staff, and the Combatant Commands. I fully expect to continue that trend to better serve our mutual interests.

Question. (4) Staff Judge Advocates to the commanders of the combatant commands.

Answer. The Staff Judge Advocates of the Combatant Commands report directly to their commanders and work closely with uniformed legal officers in the military departments and the legal advisor to the Chairman of the Joint Chiefs of Staff. I believe that an excellent relationship of cooperation exists between the Office of the Air Force General Counsel and the Staff Judge Advocates of the Combatant Commands, and that the offices work well together on issues that affect the military departments, the Joint Staff, and the Combatant Commands. I fully expect to continue that trend to better serve our mutual interests.

Question. (5) The Air Force Judge Advocate General.

Answer. The Office of The Judge Advocate General is a component of the Air Staff and assists the Chief of Staff and the Secretary of the Air Force in discharging their responsibilities. The Judge Advocate General's Department provides primary legal services regarding the Uniform Code of Military Justice and military discipline. A Secretarial Order delineates the responsibilities of the General Counsel and the Judge Advocate General and reflects the extensive coordination between lawyers serving in those offices. If confirmed, I will strive to ensure a continued close working relationship, marked by cooperation and mutual respect, between the Office of the General Counsel and the Office of the Judge Advocate General of the Air Force.

Question. (6) The Army and Navy General Counsel.

Answer. The General Counsels of the military departments work on many issues of common interest and have traditionally had a close, cordial, professionally rewarding relationship. I will strive to maintain that tradition and to foster formal and informal interactions with my counterparts in the Army and Navy that further coordination and that promote professionalism, efficiency, effectiveness and harmony.

Question. (7) The other General Counsels of the other services.

Answer. All government counsel share the common goal of effective, ethical representation of the interests of the United States. That goal is more likely to be achieved by fostering an active, collegial working relationship through which agency counsel can discuss issues and problems common to our practice. I intend to do that.

Question. (8) The Joint Service Committee on Military Justice.

Answer. The Joint Service Committee is responsible for conducting an annual review of the Manual for Courts-Martial to ensure that it remains consistent with applicable law and reflects current judicial precedent. The committee periodically recommends modifications to the manual and the Uniform Code of Military Justice that are submitted to the General Counsel of the Department of Defense. If confirmed, I would expect to be generally informed about significant issues and recommendations arising from the committee's deliberations.

Question. (9) The Code Committee established under Article 146 of the Uniform Code of Military Justice.

Answer. The Code Committee, which conducts an annual survey of the Uniform Code of Military Justice, is of primary concern to the Service Judge Advocates General. The Air Force General Counsel has no formal relationship to the committee, but I will certainly support its efforts to maintain a viable, effective code of justice.

Question. (10) The United States Court of Appeals for the Armed Forces.

Answer. There is also no formal relationship between the United States Court of Appeals for the Armed Services and the Office of Air Force General Counsel, although I had the honor of recently being admitted as a member of the Bar of the Court. Our informal relationship is centered on a mutual concern for the well-being of the men and women of the armed services.

Question. Are any changes needed in the relationships described in your response to the previous question?

Answer. I am not aware of any.

Question. On whom will the legal opinions of your office be binding?

Answer. The legal opinions of the Air Force General Counsel's office are binding throughout the Department of the Air Force.

Question. In your view, how should the General Counsel approach military justice matters, both in terms of specific cases and general policy issues, in a manner that provides useful advice without generating problems of unlawful command influence?

Answer. Primary responsibility for military justice matters in the Air Force, as in other services, rests with the Judge Advocate General, with whom I would cooperate on matters of mutual interest. I am acutely aware of the need to avoid even the appearance of command influence, and for that reason view the role of the General Counsel in specific cases under the Uniform Code of Military Justice as strictly circumscribed, though I would, of course, provide advice to the Secretary as requested concerning her role and responsibilities in such cases.

Question. Are there any offices or officials within the Office of the Secretary of the Air Force which receive legal advice from attorneys that are not assigned to and under the direct supervision of either the Office of the General Counsel or the Office of the Judge Advocate General? If so, please list the offices and officials and the manner in which the attorneys in question are supervised in terms of the performance of their responsibilities as lawyers?

Answer. Although there are no offices within the Office of the Secretary that receive legal advice from attorneys not assigned to and under the direct supervision of the General Counsel, there are Field Operating Agencies that report to Secretariat offices and have their own attorneys. Those attorneys have a close working relationship with the General Counsel's office.

Question. What steps should the General Counsel take to ensure that the position taken by Air Force organizations before judicial and administrative tribunals on the interpretation or validity of statutes and DOD rules is consistent with the views of the Secretary of Defense?

Answer. A formal mechanism exists, in DOD Instruction 5030.7, for coordination of the litigation position of DOD components in cases of interest, and for coordination among DOD, its components, and the Department of Justice on litigation matters. I would expect all Air Force attorneys involved with litigation to be fully familiar with, and comply with, this instruction, and I believe that to be the case at present. I also think it important to foster open communication and a sense of

collegiality among Air Force attorneys and their counterparts elsewhere in DOD at all levels. I support the efforts of the DOD General Counsel to increase the exchange of information among the DOD legal offices.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next General Counsel of the Department of the Air Force?

Answer. There are major challenges in many areas, including within the general areas of litigation, acquisition, force reduction, environmental, international, space and base closure matters. One of the most important challenges concerns the expense of litigation and the time it takes to resolve disputes. A major and continuing challenge will be to find ways to resolve disputes more expeditiously and at less cost to the taxpayer. Another major challenge will be to streamline the acquisition process. Contracts on significant Air Force programs must be awarded efficiently, without burdensome terms and conditions, and in accordance with law and regulation. The government must ensure that it uses the acquisition system effectively.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I intend to continue to review the way in which the Air Force resolves matters in controversy with individuals and private entities. I will continue to stress the need to resolve matters at early stages. I will also make sure that Air Force officials continue to be informed about alternative dispute resolution techniques, often used successfully in the private sector, and that those techniques are readily available when needed.

The General Counsel's office will be involved in implementing the new Federal Acquisition Streamlining Act and other acquisition reform initiatives to ensure that they make the acquisition process more efficient, while preserving government rights. I believe that Air Force acquisition officials must be made aware of the importance of involving attorneys in all major acquisition decisions, especially as a preventive measure, before problems arise. My immediate office will be involved in all significant acquisition decisions made on major programs, particularly those made within the Office of the Secretary of the Air Force. I would also continue the General Counsel's leadership role in the strong Air Force effort to combat fraud in Air Force programs.

PRIORITIES

Question. If confirmed, what would be your top priorities as General Counsel:

In terms of addressing substantive legal problems facing the Department of the Air Force?

Answer. The Air Force General Counsel's priorities should and must reflect the overall priorities of the Department of the Air Force. Accordingly, I would expect if confirmed to give high priority to legal issues arising from the reduction of the size of the Air Force and other changes resulting from reviews of the DOD undertaken during the last 2 years. I would also give high priority to finding ways to resolve disputes more effectively and at less cost, to improving the acquisition process, and to the myriad of legal issues associated with base closure, compliance with environmental laws, and our operations overseas.

Question. In terms of the organization and management of the delivery of legal services within the Department of the Air Force?

Answer. The organization and management of legal services within the Air Force were thoroughly addressed 2 years ago. Changes were instituted that have increased the effectiveness of Air Force lawyers and their legal advice. Top priorities will be to continue to stimulate the effective delivery of and call for legal services, to recruit top-notch lawyers, to persuade our lawyers to remain in government service, to continue to foster a close relationship among all Air Force lawyers, and to work cooperatively with those responsible for legal services throughout the Department of Defense.

Question. What do you consider to be the most serious problems in the performance of the legal functions in the Department of the Air Force?

Answer. I am not aware of any specific problems at this time.

Question. What management actions and timetables would you establish to address these problems?

Answer. In the event I became aware of any serious problem with the performance of legal functions in the Department of the Air Force, I would give the highest priority to its prompt resolution.

ACQUISITION REFORM

Question. One of the primary responsibilities of the General Counsel of the Air Force is to provide legal advice to acquisition officials. What do you see as the major priorities and challenges in terms of the new acquisition reform legislation?

Answer. I think one of the major priorities and challenges of acquisition reform will be to maintain our technological superiority with reduced funding. Acquisition reform legislation recently enacted into law will help to eliminate unnecessary constraints, streamline the acquisition process, and permit greater access to commercial sources and commercial technologies.

GAYS IN THE MILITARY

Question. DOD policy states that sexual orientation is not a bar to military service. However, Congress made the statement, "The prohibition against homosexual conduct is a long-standing element of militant law that continues to be necessary in the unique circumstances of military service." What is your opinion of the current policy on homosexuals serving in the military?

Answer. I support the current DOD policy.

Question. Do you believe that the directives and regulations that have been generated by the Department of Defense and the Department of the Air Force fairly implement the law in this area?

Answer. Yes.

Question. Do you agree with the 15 findings in section 654 of title 10?

Answer. These legislative findings have been set out verbatim in Air Force Instruction 36-3208, "Administrative Separation of Airmen," and Air Force Instruction 36-3206, "Administrative Discharge Procedures for Commissioned Officers," which implement and are fully consistent with section 654 and the DOD policy concerning separation from the military because of homosexual conduct.

Question. The Senate Report on the 1994 Department of Defense Authorization bill (Report 103-112, page 293) states: "The findings reflect long-standing Department of Defense policy, as set forth in DOD Directive 1332.14, that [h]omosexuality is incompatible with military service" Do you agree?

Answer. As stated in the legislative Tidings, "The prohibition against homosexual conduct is a long-standing element of military law that continues to be necessary in the unique circumstances of military service." The Act and both past and current DOD policy make homosexual conduct grounds for barring entry into, and for separation from, the Armed Forces. I am satisfied that the Air Force's implementing instructions are consistent with the Act and the DOD policy.

Question. Where there is credible evidence of criminal misconduct should a service member be questioned about prior homosexual conduct? Current homosexual activity?

Answer. DOD and Air Force policies allow commanders and appropriate officials of military criminal investigative organizations (MCIOs—in the Air Force, the AFOSI) to consider evidence of criminal misconduct, past or present, and determine whether it is sufficient to initiate an investigation. In making this determination, commanders and MCIO officials consider a number of factors, including the nature of the alleged misconduct, the potential harm to the victim, the source of the evidence and its credibility.

Question. When an individual makes a statement that he/she is a homosexual that statement provides a basis for grounds to discharge because the statute presumes that such a statement demonstrates a propensity to engage in conduct. However, the individual is allowed the opportunity to rebut this presumption in order to remain in the service. In your view, what is required on the part of the individual to rebut this presumption?

Answer. As provided in the statute, DOD policy and implementing Air Force instructions, a member can rebut the presumption only by demonstrating that he or she does not engage, attempt to engage, or have the propensity or intent to engage, in homosexual acts. The administrative discharge board in each case determines whether a member has successfully rebutted the presumption after full consideration of all the evidence presented by both sides. The statute makes it clear that the burden of proof as to this issue is on the member.

Question. What are your views on the ability of an individual to serve on active duty who declares they are homosexual but promises to refrain from homosexual acts?

Answer. It would be up to the administrative discharge board to determine whether the member had successfully rebutted the presumption. If a member promises not to engage in homosexual acts in the future, the board could ask him or her whether he or she presently engages in homosexual acts or has done so in the past. The

board could take into account the member's answer or refusal to answer, along with evidence about the member's past conduct, character and credibility, the nature and circumstances of the statement, and any other evidence relevant to whether the member is likely to engage in homosexual acts. A member who declares that he or she is a homosexual could be retained on active duty only if the board determined, on the basis of all the evidence presented, that the member had demonstrated that he or she did not engage, attempt to engage, or have the propensity or intent to engage, in homosexual acts.

JUDICIAL REVIEW

Question. Please set forth your understanding of the appropriate role of the Article III courts in the review of military activities.

Answer. The Constitution gives the power to control the military to Congress and the President. Article I, Section 8, clauses 12, 14 and 16, of the Constitution authorize Congress to provide for organizing, arming, and disciplining the militia and reserve certain responsibilities to the respective States. Article II, Section 2, clause 1, appoints the President as Commander in Chief of the Armed Forces.

It has long been recognized that Article III courts should be very reluctant to intrude into the Constitutional responsibilities of the President and Congress with respect to the Armed Forces. The Supreme Court recognized this principle stating: ". . . [J]udges are not given the task of running the Army . . . the military constitutes a specialized community governed by a separate discipline from that of the civilian. Orderly government requires that the judiciary be as scrupulous not to interfere with legitimate Army matters as the Army must be scrupulous not to intervene in judicial matters." *Orloff v. Willoughby*, 345 U.S. 83, 93-94 (1953). "[I]t is difficult to conceive of an area of governmental activity in which the courts have less competence. The complex, subtle, and professional decisions . . . are essentially professional military judgments, subject *always* to civilian control of the Legislative and Executive Branches." *Gilligan v. Morgan*, 413 U.S. 1, 10 (1973) (emphasis in original).

The courts should give great deference to executive and legislative judgments on military matters. The nature of the deference is set forth in the "*Mindes* test," a standard developed by the Fifth Circuit, and applied elsewhere. Under *Mindes*, internal military decisions should not be reviewed by courts unless the plaintiff (1) alleges a violation of the Constitution, a Federal statute or a military regulation; and (2) has exhausted available intraservice remedies. *Mindes v. Seaman*, 453 F.2d 197 (5th Cir. 1971). If both of these threshold requirements are met, then the court should look at four factors: (1) the nature and strength of the claim; (2) the resulting injury if review is denied; (3) the extent to which review would interfere with the military function; and (4) the extent to which military expertise is involved. *Id.*; *Sebra v. Neville*, 801 F.2d 1135 (9th Cir. 1986) Article III courts should only review military decisions when all of these prerequisites are met.

ETHICAL STANDARDS FOR LAWYERS

Question. There has been considerable academic discussion of the problems government lawyers face in defining who, precisely, is their client. In your view, who is the client of the General Counsel of the Department of the Air Force?

Answer. The client of the General Counsel of the Air Force is the Department of Defense and the Department of the Air Force. Of course, the Air Force acts through its authorized officials to whom Air Force lawyers provide legal advice. However, the Air Force is the client of the Air Force lawyer. The one exception is when an attorney is assigned by competent authority to represent an individual, such as at a court-martial. I understand that a 1988 Report by the District of Columbia Bar Special Committee on Government Lawyers and the Model Rules of Professional Conduct provides an excellent review of this subject.

Question. What is your understanding of the action that a Department of the Air Force attorney should take if the attorney becomes aware of improper activities by an Air Force Department official who has sought the attorney's legal advice and the official is unwilling to follow the attorney's advice?

Answer. In the circumstances described, the attorney should immediately bring the matter to the attention of his or her supervisor and if necessary up through the professional chain until the problem is satisfactorily resolved. Any problem not resolved at a lower level should be brought to the General Counsel. It may also be necessary to report the matter to the official's supervisor and up through the chain of command to a level that can resolve the problem.

Question. In your view, do the laws, regulations, and guidelines that establish the rules of professional responsibility for attorneys in the Air Force Department provide adequate guidance?

Answer. Yes. All Air Force lawyers are subject to the ethical rules of the Bar of the State or District of Columbia of which the lawyer is a member. Lawyers engaged in litigation are also subject to the rules of the court in which they appear. The Judge Advocate General of the Air Force has also issued Rules of Professional Responsibility and Air Force Standards for the Administration of Criminal Justice, which are binding on all military and civilian lawyers in the Judge Advocate General's Department. I believe the applicable laws, regulations, and guidelines are adequate and that each attorney in the Office of General Counsel is educated on their substance and application. If confirmed as Air Force General Counsel, I will work to ensure that all Air Force lawyers adhere to the highest standards of professional conduct.

SELECTION OF OFFICERS FOR PROMOTION

Question. The fair and impartial conduct of the promotion selection process is a matter of great concern to the Senate Armed Services Committee. In recent years, the committee has issued a number of reports and has developed legislation, which was enacted, addressing serious problems related to the integrity of the selection process. In your view, what is the responsibility of the General Counsel in ensuring that the process, including the procedures governing provision of information to selection boards and throughout the selection process, is conducted in a fair and impartial manner?

Answer. The General Counsel's office provides legal advice on officer promotion procedures and the processing of selection board reports. This includes review of the Secretary's Memorandum of Instruction to each selection board and of each selection board report. In addition, the General Counsel, acting for the Secretary, reviews reports of substantiated unfavorable information concerning senior officers to determine whether that information should be made available to selection boards. The Office of the General Counsel of the Air Force has also taken an active role in developing Air Force officer promotion procedures and directives which address the problems identified by the committee and ensure that promotions are made in full compliance with law and Department of Defense guidance. If I am confirmed, it is my intention, subject to the Secretary's direction, to continue this level of legal oversight of the officer promotion process, in close cooperation and coordination with the uniformed Air Force legal and personnel communities.

Question. What is your view as to the appropriate role for the General Counsel in reviewing proposed military nominations and in reviewing communications from the Department to the committee concerning nominations?

Answer. The current Air Force practice is for the General Counsel to review all selection board reports, individual nominations and Departmental communications to the committee, the President, or the Secretary of Defense concerning nominations for consistency and compliance with law and regulation. This review is particularly important to cases of nominees against whom there have been findings of misconduct or improprieties, to ensure that the Air Force meets its obligations of full and meaningful disclosure. In addition, for each three and four star nominee the General Counsel reviews the nominees' financial disclosure reports and related financial information to ensure there are no conflicts of interest.

MISCELLANEOUS

Question. You have been in the Department of Air Force for some time now and have been the Acting General Counsel for a portion of that time. Have you adhered to the applicable laws and regulations governing conflicts of interest?

Answer. Yes.

Question. Have you assumed any duties or undertaken any actions that would appear to presume the outcome of the confirmation process?

Answer. No.

February 9, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: This responds to your letter of February 2, 1995, in which you requested my responses to questions forwarded with your letter. I am pleased to provide the enclosed answers. I hope they will be helpful to the committee.

Please let me know if further information would be of assistance.

Sincerely,

SHEILA C. CHESTON.

Enclosure.

QUESTIONS AND RESPONSES

Question. On what date did Ann C. Petersen leave the position of General Counsel for the Department of Air Force?

Answer. January 20, 1993.

Question. Please give the dates of each person who has been an Acting General Counsel or a confirmed General Counsel from Ms. Petersen's departure until February 1, 1995.

Answer. General Counsel and Acting General Counsels from January 20, 1993, to February 1, 1995, are as follows:

Myron H. Nordquist (Deputy General Counsel), Acting General Counsel, January 20, 1993–May 19, 1993.

Gilbert F. Casellas, General Counsel, November 22, 1993–October 2, 1994.

Sheila C. Cheston (Deputy General Counsel), Acting General Counsel, October 3, 1994–present.

In addition, during brief periods when Mr. Casellas was on leave or temporary duty travel, I or an Assistant General Counsel served as Acting General Counsel. Similarly, when Mr. Nordquist was on leave or temporary duty travel between January 20, 1993, and May 19, 1993, and while I have been on leave or temporary duty travel since October 3, 1994, an Assistant General Counsel has served as Acting General Counsel.

Question. The information you have furnished the committee indicates that you were detailed to the White House from April to September 1994. Describe what responsibilities you left behind at the Department of the Air Force when you went to the White House.

Answer. When I was detailed to the White House I was serving as Deputy General Counsel to the Air Force. My responsibilities as Deputy General Counsel were to assist the General Counsel in overseeing the work of the Office of the General Counsel and providing legal services to the Secretary and others in the Air Force. While at the White House, I remained available to the Secretary, General Counsel and staff to consult on matters I had been working on prior to my departure and other issues that arose periodically and required my attention.

Question. Describe in detail what your responsibilities were while detailed to the White House.

Answer. Mr. Lloyd N. Cutler, Special Counsel to the President, requested that I be detailed to the White House to assist him in preparing for hearings before the Senate Committee on Banking, Housing and Urban Affairs and the House of Representatives, Committee on Banking, Finance, and Urban Affairs on the issue of contacts between White House and Treasury officials relating to the Resolution Trust Corporation investigation of Madison Guaranty Savings & Loan. Mr. Cutler and I had been partners in private practice, and he believed I had the professional ability and personal integrity required to aid him in this effort. I assisted Mr. Cutler in reviewing documents, interviewing White House and Treasury officials, responding to requests from Congress and investigators for documents and witnesses, and the preparation of Mr. Cutler's testimony reporting the results of his inquiry into the issue of contacts.

Question. Describe your involvement in the case of LTG Buster Glosson.

Answer. As Deputy General Counsel I assisted in providing advice to the Secretary of the Air Force on legal issues that arose in connection with the case of LTG Buster Glosson. I provided advice to the Secretary on legal issues relating primarily to her responsibilities and options regarding promotion boards and the Department of Defense Inspector General process. I advised the Secretary on the circumstances under which she is obligated to recuse persons from serving on a promotion board and the appropriate manner for reconvening a promotion board, on the process of

initiating an investigation and the requirements for involving the Department of Defense Inspector General, on reviewing the Department of Defense/Air Force Inspector General report, and on the preparation of documents in support of LTG Glosson's nomination for retirement in grade. In addition, I assisted the Secretary of the Air Force, the Under Secretary of the Air Force, and the Deputy Secretary of Defense in their preparation for hearings in support of the nomination.

[The nomination reference of Sheila Cheston follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 5, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Sheila Cheston, of the District of Columbia, to be General Counsel of the Department of the Air Force, vice Gilbert F. Casellas.

[The biographical sketch of Sheila Cheston, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF SHEILA CHESTON

Sheila C. Cheston is the Deputy General Counsel of the Air Force.

Ms. Cheston was General Counsel to the Defense Base Closure and Realignment Commission from April 1993 to September 1993. Prior to that, she was a partner at the Washington, DC law firm, Wilmer, Cutler & Pickering. At Wilmer Cutler, she specialized in international and Federal court litigation representing clients in litigation and arbitration in the United States and abroad.

Ms. Cheston is an Adjunct Professor at Georgetown University Law Center where she teaches International Civil Litigation. She has also written and spoken on issues of foreign sovereign immunity, international application of U.S. laws and the act of State doctrine.

Ms. Cheston received her law degree from Columbia University, graduating with the highest academic distinction. She received her B.A. from Dartmouth College with honors in biology. She is a member of the bars of various courts including the Supreme Court, the U.S. Courts of Appeals for the DC Circuit and the Second Circuit, the DC Court of Appeals and the New York Court of Appeals.

EDUCATION

1980 — Bachelor of Arts degree, biology, Dartmouth College.

1984 — Juris Doctorate degree, Columbia University School of Law.

CAREER CHRONOLOGY

1. 1984–1985 — Law Clerk, The Honorable W. A. Norris, U.S. Court of Appeals for the Ninth Circuit, CA.

2. 1985–1993 — Partner (previously associate), Wilmer, Cutler & Pickering, Washington, DC.

3. Apr–Sep 1993 — General Counsel, Defense Base Closure and Realignment Commission, Washington, DC.

4. 1991 to present — Adjunct Professor, Georgetown University Law Center, Washington, DC.

5. 1993 to present — Deputy General Counsel of the Air Force, Washington, DC.

AWARDS AND HONORS

1980 — Academic honors and distinction in major, Dartmouth College.

1984 — Kent Scholar, Columbia University School of Law.

1990 to present — Listed in Who's Who in American Law and Who's Who in Emerging Leaders.

PROFESSIONAL MEMBERSHIPS/AFFILIATIONS

Member, American Bar Association International and Litigation Sections (former committee chair).

Member, DC Bar Association International and Litigation Sections.

Member, Trial Lawyers of America.

Member, Women's Bar Association.
Board of Overseers, Senior Honor Society, Dartmouth College.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate, to complete a form that details the biographical, financial and other information of the nominee. The form executed by Sheila Cheston in connection with her nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228
Washington, DC 20510-6050
(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

Sheila Carol Cheston.

2. Position to which nominated:

Air Force General Counsel.

3. Date of nomination:

January 5, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

November 5, 1958; Washington, DC.

6. Marital Status: (Include maiden name of wife or husband's name.)

Single.

7. Names and ages of children:

None.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Dartmouth College, Hanover, NH, September 1976 to June 1980, BA June 1980.

Columbia University School of Law, New York, NY, August 1981 to May 1984, JD May 1984.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Deputy General Counsel, USAF, Pentagon, Washington, DC, October 4, 1993 to present (temporary detail to White House Counsel's Office from April to September 1994). In accordance with the standard Air Force practice in the absence of the General Counsel, the Deputy General Counsel serves as the Acting General Counsel.

General Counsel, Defense Base Closure & Realignment Commission, 1700 N. Moore St., Ste 1425 Arlington, VA 22209, April 1993 to October 1, 1993.

Partner (January 1992 to April 1993) and Associate (November 1985 to December 1991), Wilmer, Cutler and Pickering law firm, 2445 M St., NW, Washington, DC 20007.

Adjunct Professor, Georgetown Law School, 600 New Jersey Ave., NW, Washington, DC 20001, August 1991 to present.

Law Clerk, Hon. W. A. Norris, United States Court of Appeals for the Ninth Circuit, CA., August 1984 to August 1985.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Summer Associate, Legal Advisor's Office, State Department, Washington, DC, July 1983 to August 1983.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Vice President and Member of Board of Directors, Georgetown Park Condominium Association.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member, American Bar Association International and Litigation Sections (former Committee Chair).

Member, DC Bar Association International and Litigation Sections.

Member, American Society of International Law.

Member, New York State Bar Association.

Board of Overseers, Senior Society, Dartmouth College.

Member, Dartmouth College and Columbia University alumni groups.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Member, Democratic Party (DNC, DSCC, DCCC); minor volunteer legal services previously provided to DNC.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

1992 - Clinton/Gore Compliance Fund, \$100; Braun for Senate, \$100.

1994 - Eleanor Carey for Attorney General, \$800.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

1980 - Academic Honors and Distinction in Major (Biology), Dartmouth College.

1984 - Kent Scholar (Highest Academic Distinction), Columbia University School of Law.

1990 to present - Listed in *Who's Who in American Law* and *Who's Who in Emerging Leaders*.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Securities Investor Protection Act: A Reassessment (1984 Columbia Journal of Law and Social Problems).

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth

in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

SHEILA C. CHESTON.

This 11th day of January, 1995.

[The nomination of Sheila Cheston was reported to the Senate by Senator Strom Thurmond on March 2, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 7, 1995.]

[Prepared questions submitted to Josue Robles, Jr., by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

POSSIBLE CONFLICTS OF INTEREST

Question. Are you aware of any circumstances that might require you to recuse yourself from participating in the consideration of the proposed closure or alignment of a particular base or type of base? If so, please describe.

Answer. No.

Question. Have you ever participated on a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process? If so, please describe.

Answer. No.

Question. Have you been stationed at or resident in the vicinity of any base while the base was under consideration for closure or realignment during the BRAC process? If so, please describe.

Answer. No.

Question. Do you or, to the best of your knowledge, does any member of your immediate family have any specific reason for wanting a particular base to be closed, realigned, or remain unchanged during the BRAC process?

Answer. No.

DUTIES

Question. Section 2687 of Title 10, United States Code describes the duties of the Defense Base Closure and Realignment Commission. What background and experience do you possess that you believe qualifies you to perform these duties?

Answer. I served for over 28 years in the Armed Forces. Six of the last 10 years (1984-1994) I served at the highest levels of the Army at the Pentagon. I participated directly or indirectly in the BRAC 91 and 93 rounds in the execution of my duties as Director of the Army's Operation and Maintenance Appropriations and subsequently as Director of the Army's budget. I understand military value and have a recent knowledge of most of the military's national security issues. I believe that based on my knowledge of the BRAC process and my military experience, I would be a value added to the BRAC Commission.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. Clearly the steps that I would take to enhance my expertise would be to read and study the background materials on the process itself; the conduct and lessons learned from the past three BRAC rounds; and the materials that will be provided by the Department of Defense and other interested parties.

CHALLENGES AND PROBLEMS

Question. In your view, what are the major challenges confronting the 1995 Defense Base Closure and Realignment Commission? If confirmed, what plans do you have for addressing these challenges?

Answer. The following are among what I consider the major challenges:

— determining if the Secretary of Defense selected the correct installations to close/realign based on the selection criteria and the force structure plan.

— ensuring that all affected parties have an opportunity to present their views to the Commission.

— examining problems in the post-closure process.

If confirmed, I will work with the Chairman and the other members of the Commission on a continuing basis to ensure that adequate information is available and researched so that Commissioners can make informed decisions.

Question. What do you consider to be the most serious problem in the performance of the Commissioner's function on the Commission?

Answer. Assimilating the vast amounts of information on closures and realignments in the short time available.

Question. How will you address these problems, given that the Commission is slated to complete its work in a short period of time?

Answer. By devoting whatever time is required to accomplish the task at hand. To do less would be doing a disservice to the process.

FUTURE CLOSURES AND REALIGNMENTS

Question. Do you have any views as to which military bases should be closed or which missions ought to be realigned?

Answer. Absolutely not.

Question. What are your views as to which types of military bases should be closed and which types of missions should be realigned?

Answer. I have no preconceived views on this subject. However, nothing the Commission does should detract from the ability of the military services to carry out the full range of their assigned missions now and in the future.

MEETINGS AND RECOMMENDATIONS

Question. Do you believe you can set aside views based upon your political affiliations and evaluate the Secretary of Defense's proposals—or make new ones—in an independent fashion based strictly on non-partisan considerations?

Answer. Absolutely.

Question. The Commission's deliberations are designed to be conducted, to the maximum extent possible, in public. How will you promote public participation in the Commission's review process, particularly in terms of providing access to elected officials and the local leadership of communities potentially impacted by the Secretary's recommendations?

Answer. I will be available, to the maximum extent possible, to all who are potentially affected by the Secretary of Defense's recommendation. I will be open to all opinions and arguments, including those of the installation workers, all other interested parties, and their elected representatives.

COOPERATION WITH CONGRESS

Question. Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?

Answer. Yes.

Question. When testifying before Congress on the Commission's work, would you be willing to give your personal views on specific military base closure and realignment recommendations?

Answer. Yes.

Question. Will you be willing to provide this committee with an after-action report on the 1995 Commission's work?

Answer. Yes.

PUBLIC INVOLVEMENT

Question. One of the most important aspects of the Commission's work is ensuring that every community and every base has a full hearing and opportunity for public input with reliance on accurate and complete information. While the outcomes may not be popular, the outcomes will be respected as the process is conducted with integrity.

What do you see as the most important elements of maintaining the public's faith and trust in the process?

Answer. Ensuring the openness of the process and access to the work and deliberations of the Commission for all interested and affected parties.

ENVIRONMENTAL CONSIDERATIONS

Question. The obligation to clean up contamination at military sites is governed by a variety of State and Federal laws that apply to all bases—closed or open. As a result, the requirement to clean up and the associated cost is the same whether a base is closed or open.

What are your views on whether or not the cost of cleaning up environmental contamination on military bases should be considered as a factor in making closure and realignment decisions?

Answer. I understand that it has been the policy of the Secretary of Defense not to include the cost of environmental clean-up as a factor in making closure and realignment decisions and that policy has been adopted by previous commissions.

I think it is appropriate to exclude the environmental clean-up costs from the decision to close or realign a base because clean-up is an obligation of the Federal Government whether the base is closed or not. Additionally, considering environmental clean-up costs in the decision to close or realign a base could create a situation that results in closing bases with few environmental clean-up problems and leaving open bases facing large clean-up costs, regardless of military value.

AVAILABILITY OF INFORMATION

Question. In the past there have been allegations that the Department of Defense has not fully considered all relevant information in making its recommendations.

What actions, if any, do you think the Commission should take to ensure that all relevant information has been considered and is available for the Commission and the public review?

Answer. The openness of the Commission process ensures that all information provided to the Commission receives appropriate analysis.

In addition, with the active involvement of communities, the help of my fellow nominees, and the assistance of the Commission staff, I am confident that all relevant information bearing on a particular closure or realignment will be considered by the Commission.

WORKLOAD OF THE COMMISSION

Question. We have all heard that the 1995 round of base closures and realignments may be as large as the last three rounds combined.

If this is true, what would be your recommendation as to how the Commission should schedule base visits, review data, and hold hearings for all of the facilities given the short period of time the Commission has to complete its review?

Answer. In the past, the Commission has considered and analyzed a large number of recommendations and alternatives. For the 1995 round, the additional two weeks (from March 15 in 1993 to March 1 in 1995 for receipt of list from Defense) will allow for adequate review time.

Question. How will the Commission ensure that all facilities are treated equally in the Commission's review process?

Answer. If there is a recommendation within a specific installation category, I will ensure that adequate alternatives have been evaluated. This is true irrespective of whether that installation was reviewed by previous Commissions or not.

COMMISSION STRUCTURE

Question. A January 1994 memo from the Deputy Secretary of Defense Perry indicated that the Department had established five functional area Joint Cross Service Groups to study and recommend ways to consolidate workloads across the Services to reduce excess capacity. The five groups are: (1) Depot Maintenance; (2) Test and Evaluation; (3) Laboratories; (4) Military Treatment Facilities; and (5) Undergraduate Pilot Training.

In your opinion, how should the Commission review cross-servicing recommendations?

Answer. I understand that the Commission is aware of the Department's efforts toward cross-servicing and, to that end, has reorganized the Review and Analysis staff, with the addition of a Cross Service Team, to specifically address those functions under review.

SELECTION CRITERIA

Question. In a letter dated November 2, 1994, Deputy Secretary of Defense Deutch wrote that the Department of Defense will use the same selection criteria for 1995 base closure and realignment recommendations as was used by the Department in 1991 and 1993.

What are your views on this decision?

Answer. The selection criteria were developed after public comment and were used by both the 1991 and 1993 Commissions. I believe they have stood the test of time; are well understood by potentially affected communities; and provide the appropriate emphasis on military value and other considerations.

Question. Since many States are impacted by prior closures and the downsizing of the defense industry, do you believe the criterion "the economic impact on communities" is broad enough to take into consideration these cumulative economic impacts?

Answer. Yes.

Question. Are there other criteria that you believe should be considered when reviewing bases for possible closure or realignment?

Answer. I believe the criteria are comprehensive enough to adequately address all relevant issues associated with base closures.

Question. The National Defense Authorization Act for Fiscal Year 1994 included a provision which expressed the Sense of the Congress that the Secretary of Defense should consider the total costs of base closures and realignment decisions to other Federal Government agencies and to estimate the costs to state and local governments. Secretary Deutch's letter of November 2, 1994 noted that the Department will not use this measure in the final selection criteria for the 1995 round.

What are your views on this decision?

Answer. Although the Secretary of Defense does not recommend assessing the costs to other Federal departments and agencies in the process of closing military bases, the Commission has tried in the past to take some of these costs into consideration in its review and analysis process where possible. I expect the 1995 Commission will take the same approach and I support that effort.

Question. Military necessity is the determinative selection criteria for a closure or realignment.

In your view what are the key elements of military necessity?

Answer. The contribution to an installation to the performance of the key missions of the military service.

[NOTE: The introductory remarks and questions below are based upon the questions Senator Nunn asked on behalf of the committee during both the 1993 hearing on the base closure nominees and the 1994 hearing on Senator Alan J. Dixon's nomination to be Chairman of the Defense Base Closure and Realignment Commission. These questions were also asked of the other nominees for the 1995 BRAC on February 15, 1995 of this year.]

CONFLICT OF INTEREST

Question. I would now like to turn to our standard conflict of interest questions that we ask nominees for the Base Closure and Realignment Commission.

This is an unusual situation, because members of the Commission serve on a part-time rather than a full-time basis. Members of the Commission are not expected to give up their private sector occupations and businesses in order to serve on the Commission. We could not find qualified individuals to take part-time work if they were required to give up their normal jobs.

It is also unusual because it is not possible to identify specific conflicts of interest until the Secretary of Defense announces the list of proposed base closures and realignments—which is not due until March 1, 1995.

Because Commission members serve on a part-time basis and retain their jobs in the private sector, and because it is not possible to identify specific conflicts of interest until the Secretary's list of proposed base closures and realignments is announced, the committee and the executive branch developed the following procedure, which was used with respect to both the 1991 and 1993 Commissions.

First, at the time the Secretary's March 1 proposed list is announced, the Commission's General Counsel, working with the DOD General Counsel and the Office of Government Ethics, will review the financial interests of each member of the Commission and advise the member whether recusal or other remedial action, such as divestiture or waiver, is necessary.

Second, the Commission's General Counsel will advise the Armed Services Committee of the results of the review and the actions taken by members of the Commission.

Third, the Commission's General Counsel will establish a procedure providing for similar review and transmittal of information to the Armed Services Committee when the Commission considers action on installations that are not on the Secretary's March 1 list.

In 1991 and 1993, this procedure resulted in a number of statutory waivers, recusals, and divestitures. In addition, one Commission member determined that it was necessary for him to resign because the number of recusals he faced would have made it difficult for him to serve as an effective participant in the Commission's deliberations.

I have several questions that I would like to ask you on behalf of the committee on the subject of conflict of interest.

Do you agree to follow the procedures applied in 1991 and 1993 with respect to conflicts of interest?

Answer. Yes.

Question. If you are advised that a conflict of interest exists and that a statutory waiver is not authorized, will you either divest yourself of the interest or recuse yourself from the particular installation affected by the holding?

Answer. Yes.

Question. If the number of recusals would impair your ability to effectively participate in a significant number of Commission proceedings, would you agree to resign?

Answer. Yes.

Question. Do you have any financial interests that are so closely tied to a particular installation that you will be required to recuse yourself from participating in the consideration of a proposed closure or realignment of a particular base or type of base?

Answer. No.

Question. If so, please describe.

Answer. Not available.

Question. There are a number of other questions involving matters that do not amount to a statutory conflict of interest and do not necessarily require recusal, but which should be on the record concerning prior activities of nominees.

Have you ever participated in a compensated or uncompensated basis in any activity directed at precluding, modifying, or obtaining the closure or realignment of any base during the BRAC process?

Answer. No.

Question. Aside from any matters discussed in response to the previous question, have you ever provided any services, or sought to provide any services, to any facility, community, or other entity in connection with the BRAC process?

Answer. No.

Question. Are you aware of any other circumstances that might require you to recuse yourself from participating in the proposed closure or realignment of a particular base or type of base?

Answer. No.

[The nomination reference of Josue Robles, Jr. follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
February 27, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Josue Robles, Jr., of Texas, to be a member of the Defense Base Closure and Realignment Commission for a term expiring at the end of the first session of the 104th Congress, vice Robert D. Stuart, Jr., term expired.

[The biographical sketch of Josue Robles, Jr., which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JOSUE ROBLES, JR.

Joe Robles is Senior Vice President, Chief Financial Officer/Corporate Controller for USAA Financial Services. He directs USAA's activities in the areas of Payroll and Compensation Accounting, Accounting Policy Corporate Financial Analysis, In-

ternal Audit and Taxes. He joined USAA in July 1994 as Special Assistant to the Chairman after retiring from the U.S. Army as a major general after 28 years of service. He assumed the role of CFO/Controller in September 1994.

General Robles was born in Rio Piedras, Puerto Rico, January 24, 1946. He joined the U.S. Army in 1966 and received his commission as a second lieutenant through the Artillery Officer Candidate School at Fort Sill, Oklahoma in 1967. He received a Bachelor of Business Administration degree in Accounting from Kent State University in 1972. He also holds a Master of Business Administration from Indiana State University. His military education included Field Artillery Basic and Advanced courses, U.S. Army command and General Staff College, Spanish General Staff College, and U.S. Naval War College.

Robles served in a variety of important command and staff positions, culminating in his assignment as Commander General, 1st Infantry (Mech) at Fort Riley, Kansas. Prior to that position, General Robles served as Director of the Army Budget, and as the assistant division commander, 1st Cavalry Division, Fort Hood, Texas. The latter included participation in Operations Desert Shield/Desert Storm. His early troop assignments included command and staff positions in Field Artillery units in Korea; Fort Knox, Kentucky; Vietnam; and Germany.

Robles' mid-level assignments included work with the Resource Management Department, U.S. Army Institute of Administration, Fort Benjamin Harrison, Indiana. He also served as special assistant to the G-3, 1st Infantry Division (Mech), and battalion commander, 1st Battalion 7th Field Artillery, 1st Infantry Division, both at Fort Riley, Kansas.

Recent assignments included Chief, Programming and Budget Office with Headquarters, U.S. Army, the Pentagon, and Division Artillery Commander of the 1st Infantry Division (Mech), Fort Riley, Kansas.

Robles' military awards include the Distinguished Service Medal with Oak Leaf Cluster, the Legion of Merit with two Oak Leaf Clusters, the Bronze Star Medal with Oak Leaf Cluster, the Meritorious Service Medal with Oak Leaf Cluster, the Air Medal, the Army Commendation Medal with Oak Leaf Cluster, the Army Good Conduct Medal, and the Army General Staff Identification Badge.

General Robles is married to the former Patricia Ann Gavin of East Greenwich, Rhode Island and has three sons, Joseph (deceased), Andrew and Christopher, and a daughter, Melissa.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Josue Robles, Jr. in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior

to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

Josue Robles, Jr.

2. Position to which nominated:

1995 Base Closure Commissioner.

3. Date of nomination:

February 28, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

January 24, 1946; Rio Piedras, Puerto Rico.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Patricia A. Robles (Gavin).

7. Names and ages of children:

Joseph A. Robles, 23 (deceased); Melissa A. Robles, 20; Andrew J. Robles, 7; and Christopher G. Robles, 5.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Admiral King High School, 1961-1964, H.S. diploma, June 1964.

Kent State University, 1970-1972, B.B.A., May 1972.

Indiana State University, 1977-1979, M.S.B.A., May 1979.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

U.S. Army officer, 1966-1994. Retired: July 1, 1994. Highest rank attained: major general. Various locations throughout the world.

United States Automobile Association, 9800 Fredricksburg Rd., San Antonio, TX 78288, Senior Vice President-Chief Financial Officer, July 1, 1994 to present.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Director, U.S.A.A., 1990-1994.

Senior Vice President, 1994 to present.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Member Conference Board's Chief Financial Officer's Council for Diversified Financial Services Companies.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Army Distinguished Service Medal (2 awards).

Army Legion of Merit (3 awards).

Army Bronze Star (2 awards).

Army Commendation Medal (2 awards).

Army Meritorious Service Award (2 awards).

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOSUE ROBLES, JR.

This 18th day of February, 1995.

[The nomination of Josue Robles, Jr. was reported to the Senate by Senator Strom Thurmond on March 2, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on March 2, 1995.]

**NOMINATION OF GEN. DENNIS J. REIMER,
USA TO BE CHIEF OF STAFF OF THE ARMY
AND FOR REAPPOINTMENT TO THE GRADE
OF GENERAL; AND LT. GEN. CHARLES C.
KRULAK, USMC TO BE COMMANDANT OF
THE MARINE CORPS AND FOR APPOINT-
MENT TO THE GRADE OF GENERAL**

TUESDAY, MAY 2, 1995

**U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, DC.***

The committee met, pursuant to notice, at 3:06 p.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Smith, Hutchison, Inhofe, Nunn, Levin, Glenn, Byrd, Robb and Lieberman

Also present: Senators Nickles and Inouye

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Donald A. Deline, general counsel; Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard E. Combs, Jr., Creighton Greene, Michael J. McCord, Frank Norton, and Julie K. Rief, professional staff members.

Staff assistants present: Shelley G. Lauffer, Connie B. Rader, Deasy Wagner, and Jason Rossbach.

Committee members' assistants present: Robert J. "Duke" Short, assistant to Senator Thurmond; Grayson F. Winterling, assistant to Senator Warner; Samuel D. Adcock, assistant to Senator Lott; Richard F. Schwab, assistant to Senator Coats; Thomas L. Lankford, assistant to Senator Smith; Matthew Hay, assistant to Senator Inhofe; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse, assistant to Senator Levin; Suzanne M. McKenna and John P. Stevens, assistants to Senator Glenn; William Owens and Suzanne Dabkowski, assistants to Senator Robb; John F. Lilley, assistant to Senator Lieberman; Randall A. Schieber, assistant to Senator Bryan.

**OPENING STATEMENT OF SENATOR STROM THURMOND,
CHAIRMAN**

Chairman THURMOND. The committee will come to order.

The committee meets today to receive testimony concerning two very key nominations.

Gen. Dennis J. Reimer has been nominated to be the Chief of Staff of the Army and for reappointment to the grade of general. Lt. Gen. Charles C. Krulak has been nominated to be Commandant of the Marine Corps, and for appointment to the grade of general.

Neither of these two distinguished officers is a stranger to this committee. General Reimer is currently the Commander of U.S. Army Forces Command in Atlanta, GA. Prior to this assignment, General Reimer was the Vice Chief of Staff of the Army. In that capacity, he testified before and met with this committee many times.

General Krulak is currently the Commander of the Fleet Marine Force, Pacific in Hawaii. His previous assignment was as Commanding Officer, Marine Corps Combat Development Command in Quantico, Virginia.

In that capacity, General Krulak conducted the Marine Corps Bottom-Up Review which determined what the force structure of the Marine Corps should be in order to meet their mission requirements.

General Krulak's review was thorough and sound. His recommendations were ultimately approved by the Congress. I should point out that General Krulak's Bottom-Up Review was completed before Bottom-Up Reviews became a household term with questionable credibility.

General Reimer, I understand that your wife Mary Joe and your two children could not be here today. I am sure they are excited and anxious for you, wherever they are.

General Krulak, I understand that your wife, Zandi, your son David, his wife Elizabeth, and your father Victor are here today.

Could you all raise your hands so we can welcome you here? [Pause.]

We are very pleased to have you here, all of you.

Gen. Victor Krulak is a well known Marine officer, a historian and an author.

I want to especially welcome you here today, General. You retired, I believe, as a lieutenant general. I assure you that if we confirm your son for promotion to general, it is the view of this committee that you will always outrank him. [Laughter.]

Each of the nominees will be introduced by some of our colleagues today. Before I ask Senator Nickles and Senator Inouye to introduce the nominees, I will turn to Senator Nunn for any remarks he may have as the ranking member. Senator Nunn.

Senator NUNN. Thank you very much, Senator Thurmond.

I join you in welcoming all the families here and particularly our two distinguished nominees. It has to be a very important day today, Mr. Chairman, because Terry Paul has on his uniform. I think that is an indication of the importance of the day. [Laughter.]

General Reimer is no stranger to me or this committee, having joined him in Georgia for many events and having heard him tes-

tify here many times. I will say more on him in just a moment in helping introduce him to this committee.

General Krulak, this is your first actual testimony before our committee, I believe, but you worked very closely with us over the years and you are very well known and very well respected here.

I also join you, Mr. Chairman, in offering a special welcome to retired Lt. Gen. Victor Krulak, one of the Marines' most renowned heroes. Our nominee's father had 34 years of military service that was the material of legends. Since his retirement, General Krulak has been a teacher, a lecturer and president of a news service.

His writings on military matters have been most helpful to the committee over the years. His well known book "First to Fight" is the Bible of the Corps.

So to both General Krulaks, I would like to first congratulate you on your careers and tell you that we are very happy to have you here. I think it is especially fitting for the father and the family to share this proud day with the son and the rest of the family.

I know we have a third generation coming that is going to provide an outstanding officer also.

Senator Thurmond, I would like to join you in welcoming Senator Inouye, a distinguished combat veteran in his own right, a hero in his own right, and a vigorous proponent of a strong national defense. I know he has made a special effort to be here today to introduce General Krulak.

General Reimer, General Krulak, this is an important day for both of you personally but also a very important day for our country.

The department finds itself in a time of tremendous change. And that change has been driven by a number of forces; our victory in the cold war, shifting domestic and international priorities, an explosion of defense technology and certainly a revolution brought about by that technology and by the change and many of the challenges facing our military.

You have each faced and overcome tremendous challenges in peacetime and in war. You are both combat veterans who wear the Purple Heart. You have each commanded major units in war and peace and served on high level staffs. And you have each survived, the two of you, in Washington, DC, which is no mean achievement itself.

There is no doubt that your next assignments will be the most challenging of your military careers. In the coming months in an environment of constrained resources you must come to grips with the competing demand of near-term readiness and long-term modernization.

Your services must be ready to fight and win today and they must be ready to fight and win in the future. And the balance between those two is what we are struggling with at the moment.

You must ensure that the military that emerges from the draw down is in fact what our nation needs and deserves as we enter the next century in terms of personnel, equipment technology, as well as strategy.

You must care for your most valuable and perhaps your most vulnerable resource, the men and women of our military. We are

placing increasing demands on our soldiers, sailors, marines and airmen.

We must ensure that these demands are balanced with quality leadership and a quality of life that is equal to the sacrifices that they are called on to make.

Finally, you must ensure the provision of sound and candid military advice to the Secretary of Defense, the National Security Council, the President and the Congress in a frank and honest way in an ever changing global security environment.

I am confident that each of you are up to these challenges. We thank you for being here. We thank you for your previous service and for your willingness to undertake this tough and important job.

Mr. Chairman, I will be glad to introduce General Reimer whenever you would like. Would you like for me to go ahead and make a few remarks on him now? We can do that or we can come back.

Chairman THURMOND. I think some others want to say a word. Senator NUNN. Okay.

Chairman THURMOND. We will come back to you in just a minute. Senator Warner, would you like to say a word?

Senator WARNER. Thank you, Mr. Chairman.

I join you and Senator Nunn and other members of the committee in welcoming these two distinguished Americans selected by the President of the United States and, indeed, their peers because of their outstanding service to our Nation over an extensive career period.

We thank our distinguished colleagues from Hawaii and Oklahoma for joining us today. Both serve on the Appropriations Committee and work very closely with this committee and have long dedicated service to the men and women of the Armed Forces.

Mr. Chairman, General Krulak, I have known the father and son team for many, many years, and I would ask unanimous consent that the curriculum vitae for General Krulak, retired, be included in this record of the proceedings today to be placed along side of that of his distinguished son.

Chairman THURMOND. Without objection, so ordered.

[The information follows:]

CURRICULUM VITAE OF LT. GEN. V. H. KRULAK, U.S. MARINE CORPS, RETIRED

Born: Denver, CO; moved to California at age of seven.

Attended U.S. Naval Academy, graduated with distinction in 1934, with Bachelor of Science degree.

Served as junior officer on the U.S.S. *Arizona*, at the Naval Academy and, for 3 years, with the Fourth Marine Regiment in Shanghai, China during the Sino-Japanese war. As a Marine intelligence officer he traveled extensively in East and Southeast Asia. He was a student of the Chinese language for 2 years.

In World War II, he commanded a Marine parachute battalion in the South Pacific in two combat operations. The second was an 8 day raid on the island of Choiseul, where the Marine paratroopers, some 700 in number, engaged a force of several thousand Japanese, diverting their attention from the concurrent U.S. invasion of Bougainville. General Krulak (then a lieutenant colonel) was wounded in this operation, and was subsequently awarded the Navy Cross for heroism during the engagement.

Subsequently, in World War II, General Krulak served as the operations officer of the 6th Marine Division in the Okinawa campaign, during which he was awarded the Legion of Merit and the Bronze Star Medal. At the end of the war he returned to China.

In the post-World War II period he served as the Director of the Senior Marine Corps Officers Schools. Subsequently he commanded the 5th Marine Regiment, and

went to Korea as Chief of Staff of the 1st Marine Division. During that campaign, he was awarded a Legion of Merit.

Following a tour at Marine Headquarters, General Krulak was selected for the rank of Brigadier General in 1955; the youngest Marine officer ever to be so named. Thereafter, he served in Hawaii, Japan and the Philippines, returning to the United States in 1957 to head the whole of the Marine Corps' educational system for a period of over 3 years.

Thereafter, he served in Washington and in San Diego, where he was promoted to the rank of major general, following which he returned to Washington as the principal advisor to the President, Secretary of Defense and Joint Chiefs of Staff on counterinsurgency warfare, particularly in Southeast Asia, which he visited 54 times in 3 years.

He became a lieutenant general in 1964 and for 4 years commanded all of the Marines in the Pacific Ocean area, including Vietnam, Thailand, Japan, the Philippines and Okinawa. He is a Chinese and French linguist.

Lieutenant General Krulak retired from active Marine Corps service on June 1, 1968, and became Vice President of the Copley Newspaper Corporation and President of the Copley News Service, from which position he retired in 1977.

He is now President of Words Limited, an editorial and feature syndicate.

He writes a regular newspaper column, has written extensively on Asian affairs, on which he has lectured in such fora as Boston University, the University of San Diego, the Air University, the Industrial College of the Armed Forces and the Marine Corps University. He has written also on politics, education in the military and national defense, on which subjects he has recently published a book, *Organization for National Security*. He is also author of *First to Fight*, a popular book on Marine Corps history, in its fifth printing. He has received seven national awards for his writing and speaking, as well as honorary degrees from Loyola University and the University of San Diego.

His wife is the former Amy Chandler of Washington, DC. Their three sons all attended the Naval Academy, as did their father. The eldest, Victor, junior, became a Navy chaplain and, after a 20-year career including 18 months in Vietnam, is now retired in San Diego. The second son, William, spent 15 years in the Marine Corps, then got a divinity degree from Yale and is the rector of an Episcopal church in Virginia. The youngest, Charles, is a lieutenant general in the Marine Corps—the first time in Marine history that a father and son have been so distinguished.

Senator WARNER. I find in a brief search of the history of the Marine Corps that this father-son relationship is almost without parallel.

Indeed there were two other members of the Krulak family who have likewise served in the uniform of the Marines and the Navy, and that is recited in General Krulak's distinguished biography; that is, General Krulak, Sr.

General Krulak, before us today, Mr. Chairman, when he visited with me yesterday, in a very humble way mentioned that we first met in 1969 when as Under Secretary of the Navy I was privileged to visit in Vietnam and an aid station where our witness was surviving from wounds received in combat.

I thank you for the thoughtful remembrance that you spoke about yesterday to me, General Krulak. I look forward to working with you in the years to come.

General Reimer, again I thank you for the opportunity to visit yesterday.

I think the record can show, Mr. Chairman, that General Reimer and Colonel S. Brownlee of our professional staff have served side by side for many years.

They were on the same list for major, the same list for lieutenant colonel, attended the War College together, the Command in General Staff. And then when General Reimer was Aide-de-Camp to General Abrams, our Colonel Brownlee was Aide-de-Camp to General Pugh. There has been a parallel career.

I welcome both. I thank the Chair.

Chairman THURMOND. Senator Glenn.

Senator GLENN. Thank you, Mr. Chairman. I will be very brief so we can get on with the questioning. I have another meeting I have to go to shortly, but I did want to stop by and greet both of our nominees today here.

I had a chance to meet both of them in my office. We went to great length about things such as end-strength and equipment, O&M funds versus supplemental funds and the future of the military adequacy of our forces.

In particular we discussed the lessons learned area of the list provided by General Schwarzkoff. Also Secretary Perry and General Shalikashvili really force enhancements that are a problem area.

We talked about those and I mentioned that the letters were going out and you would probably be the recipients of them because you will be replacing the in-place people right now.

Those letters, I am informed, did go out yesterday, so you will be getting into some of those things shortly.

I look forward to voting for both of you. I know of your reputations and I think you are preeminently well qualified. Certainly our discussions were very good. I am happy to recommend both of you. I plan to vote for both of you, and will be proud to do so.

So with that, thank you, Mr. Chairman.

Chairman THURMOND. Now, one of our new senators, Senator Inhofe, he is also one of the best.

Senator INHOFE. Thank you, Mr. Chairman. I just think it is a great honor to be here during this nominating process and to be a member of the Senate Armed Services Committee at this time and to have two such great guys here.

If you will forgive me, General Krulak, I have to show a little favoritism to General Reimer, who is a fellow Okie and certainly has an understanding of what we are about in Oklahoma.

He actually got his training at Fort Sill in 1962, taught in 1970, and then in 1984 became the Commanding General of the Third Corps Artillery there. In Oklahoma we say Will Rogers and Wiley Post and Denny Reimer at the same time.

It is great to be here at this time, and we are very proud to be in this process.

Chairman THURMOND. Senator Nunn, I understand you and Senator Nickles will introduce General Reimer. Senator Inouye will introduce General Krulak.

I will start with you, Senator Nunn, then go to Senator Nickles and follow with Senator Inouye.

Senator NUNN. Thank you, Mr. Chairman. I will make it very brief.

We can talk a long time about General Reimer's career. He has been well known to me for a long time. He appeared before us on a number of occasions as Vice Chief of Staff as well as during other assignments he has had.

Over the years he has helped me personally as well as the committee and the Senate on many, many problems. He has been extremely valuable to us in his advice and his leadership.

General Reimer graduated from West Point in 1962. He has commanded troops at all levels; served in Vietnam, Germany and

South Korea; he is a highly decorated combat veteran. He has held key positions in the Army including Deputy Chief of Staff for Plans and Operations during Operations Desert Shield and Desert Storm.

Most recently he served as Commanding General of the United States Army Forces Command, which is headquartered in Atlanta, Georgia. There he has earned a great reputation not only as an Army leader but in general for his leadership and for being an outstanding citizen in our community and our State.

He has had tremendous responsibility for direct downsizing responsibilities in the U.S. Army. In a period of time in which we have drawn down the military forces in a very challenging way, he has done an excellent job. By all accounts he has done a superb job.

I had the privilege of joining General Reimer for many visits in Georgia, and I know he will be missed in Atlanta and in our State, but also the people that have gotten to know him there are delighted that he will be the Chief of Staff of the United States Army.

I have met him on many occasions when times were tough in the United States Army, and he has been there and stood up for the Army and stood up for our national security on all those occasions.

He was the aid to General Abrams back in the 1970s when I first came to the Senate. General Abrams is known by many as the Father of the United States Army, the modern Army. He also worked very closely with another general well known to Georgians, General Bill Leitzig.

So General Reimer, bottom line, has the knowledge, the experience and the personal qualities to lead the Army and to serve as a member of the Joint Chiefs of Staff and to do a superb job.

I am very confident he will do that job, and I am proud to join Senator Nickles in recommending him to the committee.

Chairman THURMOND. We are honored to have the Chairman of the Parks Committee here today, Senator Nickles. We will be glad to hear from you now.

STATEMENT OF DON NICKLES, A U.S. SENATOR FROM THE STATE OF OKLAHOMA

Senator NICKLES. Mr. Chairman, Senator Warner, Senator Nunn, Senator Lieberman and my colleague Senator Inhofe, it is a real pleasure for me to introduce a native Oklahoman and the nominee for the next Chief of Staff of the Army, General Dennis Reimer.

I would like to state my total complete support for his nomination. I am excited about this nomination. I think General Reimer will be a great asset as the Chief of Staff of the Army.

General Reimer was born in Enid, Oklahoma. He was raised in nearby Medford, Oklahoma, and still has family residing there. We are delighted to have them. Medford, Oklahoma, is just a few miles from my hometown.

General Reimer has more than 30 years of service in the Army, including 2 tours in Vietnam. He has also served as Vice Chief of Staff of the Army and currently serves as Commander-in-Chief of Forces Command.

As Commander-in-Chief of Forces Command, General Reimer is responsible for the more than 900,000 active duty personnel, reservists and guardsmen stationed in the United States. These sol-

diers account for nearly two-thirds of the Army's total ground forces command.

In 1964 General Reimer was assigned to Vietnam, where he served as Assistant Battalion Advisor. He returned to Vietnam in 1968 to serve as Artillery Battalion Executive Officer.

In the 1970s General Reimer served in a variety of positions, including Aide-de-Camp to the Chief of Staff of the Army and Commandant of the Training Command, 4th Infantry Division at Fort Carson.

In 1979 he graduated from the Army War College. After an assignment in Europe in the early 1980s, General Reimer returned home to Oklahoma to assume command of the III Corps Artillery at what I consider the best Army base in the country, Fort Sill.

From Fort Sill General Reimer went on to South Korea where he became assistant Chief of Staff in the Republic of Korea United States Forces Command. From there he went to the Pentagon to serve as Deputy Chief of Staff for Operations and Plans, and then as Vice Chief of Staff of the Army.

General Reimer has received numerous awards for peacetime and combat service. These awards include the Defense Distinguished Service Medal, the Distinguished Service Medal, two Legions of Merit, the Purple Heart, and six awards for the Bronze Star.

Mr. Chairman and committee members, it is really a pleasure for me to introduce and strongly recommend General Dennis Reimer, a man who has honored his country, his Army, his home State of Oklahoma and his family through outstanding years of service.

Chairman THURMOND. Senator Inouye, we are very honored to have you here, and we now call on you to introduce General Krulak.

STATEMENT OF DANIEL K. INOUE, A U.S. SENATOR FROM THE STATE OF HAWAII

Senator INOUE. Thank you very much, Mr. Chairman and members of the committee.

I am most pleased to appear here this day to present Lieutenant General Charles C. Krulak to the Armed Services Committee.

As we are all aware, the President of the United States nominated General Krulak to serve as the next Commandant of the United States Marine Corps.

Like all of you here, I believe General Krulak is an outstanding choice and will serve this country with great distinction as Commandant of the Marine Corps.

I have known General Charles Krulak for many years, and I have also known his father who served as a lieutenant general in the Marines, General Victor Brute Krulak.

General Krulak, Sr., served with distinction in the Marines, receiving the Navy Cross—he should have gotten the Medal of Honor—the Legion of Merit and the Bronze Star medal.

Among other honors, his son Charles has received the Defense Distinguished Service Medal, the Silver Star medal and the Bronze Star Medal with Combat "V" and two gold stars.

I can think of no other American family which has produced two more dedicated and excellent military officers. To that I would like

to add Ensign David Krulak, who has served with great distinction as a submarine officer. He decided to become a physician; so he is now at the Medical School. I suppose he will be the eldest ensign in the U.S. Navy.

Both father and son served much of their careers in the Pacific region. Gen. Charles Krulak went to school in Hawaii as a young man and later served as Plans Officer at the Fleet Marine Forces in the Pacific. He was also the Commanding Officer of the 3d Battalion of the 3d Marine Division in Hawaii.

His father, Gen. Brute Krulak, served as Commander of our Marine Forces in the Pacific, and his son is now his successor.

Gen. Charles Krulak in this position commands two-thirds of the operational forces of the Marine Corps in a vast geographic area and, as many of us know, seven of the world's ten largest armies from nations located in the Pacific region.

It is General Krulak's responsibility to monitor this environment and ensure that the forces under his command are well prepared to meet the challenges of this large and important region. By all accounts General Krulak has performed superbly in this position.

Mr. Chairman, General Krulak is a man of great integrity, who has impressed me and many others in the Pacific region with his breadth of knowledge of military affairs and of the Pacific region. I am confident that his experiences have well prepared him for this most challenging assignment.

I must note that while they are extremely impressive officers, not one among the current Joint Chiefs of Staff brings with him the breadth of experience in the Pacific.

General Krulak possesses an in-depth knowledge of this region. His experience and knowledge can add to the expertise of the Joint Chiefs of Staff.

Mr. Chairman, I think it is vitally important that we look to commanders with experience in the Pacific as our leaders. Today the United States conducts 37 percent of its trade with nations in the Pacific, more than with any other region. Furthermore, this percentage is growing every year.

It has been 20 years since a Marine general from the Pacific was named Commandant. So I believe the nomination of General Krulak offers a much needed balance, and his selection will send a strong signal of support to our partners in the Pacific.

As we get to know General Krulak better, I am confident that we will all come to the same conclusion, that he will make a superb Commandant.

Mr. Chairman and members of the committee, I am proud to offer my unequivocal support for Charles Krulak to be the next Commandant of the U.S. Marine Corps.

I thank you, sir.

Chairman THURMOND. Thank you very much. We are very pleased to have you here, Senator.

Senator INOUE. I would like to add my congratulations on the nomination of General Reimer.

Chairman THURMOND. Thank you very much.

I want to thank Senator Nunn, Senator Nickles, and Senator Inoue for their introductions.

I notice Senator Lieberman has come in since we started.

Senator, we are very pleased to have you here. Do you care to say anything before we start?

Senator LIEBERMAN. Thank you, Mr. Chairman, for your kindness.

I would like to briefly welcome General Reimer and General Krulak and tell them I am extremely impressed by their records and look forward to working with them on behalf of our country.

Chairman THURMOND. It is always helpful for the committee to hear such strong recommendations from members of the Senate concerning nominees.

The committee asked both General Reimer and General Krulak to respond to a series of advance policy questions. Without objection, I will make those questions and the responses part of the record.

Chairman THURMOND. General Reimer, we will start with you. If you have any opening remarks, we will give you the opportunity to address the committee now.

And, General Krulak, you will have the same opportunity following General Reimer. You may proceed, General Reimer.

**STATEMENT OF GEN. DENNIS J. REIMER, USA, NOMINEE,
CHIEF OF STAFF OF THE ARMY AND FOR REAPPOINTMENT
TO THE GRADE OF GENERAL**

General REIMER. Thank you, Mr. Chairman.

It is a genuine pleasure for me to appear before the committee today. As has already been mentioned, I have had the opportunity in the past to appear before this committee. I welcome the opportunity to renew old friendships and to represent the great soldiers, civilians, and family members of the U.S. Army.

I want to particularly thank Senator Nunn and Senator Nickles for that great introduction. You have been most kind.

I am deeply honored to have been nominated by the President to be the Chief of Staff of the Army. When I think of those who have had this position in the past, among them men like Pershing, Marshall, Bradley, Abrams, Vuono and others, I recognize just how great a responsibility I have been given, and I am truly humbled to be following in their footsteps.

I must make special mention of General Gordon R. Sullivan, a true visionary and responsible steward of the Nation's trust. As the Chief of Staff, he accomplished exactly what he set out to do.

He kept the Army trained and ready in the midst of the largest drawdown since World War II, while focusing us on the 21st Century. It is truly an unprecedented feat in my mind. The Army and the entire Nation owe him a great deal of gratitude.

In the past few years, the American people have seen the Army in action many times, in the streets of Mogadishu, the refugee camps in Zaire, in the Haitian countryside, and in national disaster areas of the United States.

America's Army today is a force of dedicated men and women, well trained, well equipped, well led, and most of all, serving their Nation proudly every day. It is an Army of which every American can be proud. When the Nation has called, the Army has answered.

Today's Army has changed from a forward deployed Cold War force to a force projection force. That capability was clearly dem-

onstrated in October of 1994, when the United States deterred the Iraqi aggression in Kuwait. We put a mechanized infantry task force from Fort Stewart, Georgia, on the ground in Kuwait within 72 hours after it was alerted for deployment.

Your Army is ready today, ready to respond to threats to the Nation, and to serve in other ways if required. I am confident that together, the Army leadership, the Congress, the administration and the American people will meet the challenges of the future.

I look forward to working with this distinguished committee and the entire Congress in the days ahead.

Thank you, Mr. Chairman, and thank you Members of the committee. I look forward to your questions.

Chairman THURMOND. General Krulak.

STATEMENT OF LT. GEN. CHARLES C. KRULAK, USMC, NOMINEE, COMMANDANT OF THE MARINE CORPS AND FOR APPOINTMENT TO THE GRADE OF GENERAL

General KRULAK. Mr. Chairman, Members of this distinguished committee, words are difficult to find to describe how I feel right now sitting here as the President's nominee to be the 31st Commandant of the Marine Corps.

I have worn this uniform and the eagle, globe and anchor for 31 years. I feel like I have been a Marine all my life, all 53 years of it.

I know of the tradition of the Corps. I know its history. I know what it means to the American people, and I know what the American people mean to the Corps.

I know the legacy of Commandants of the past; General LeJeune, Vandergriff, Sheppard, Wilson, Barrow, Gray and our most distinguished leader of today, Gen. Carl Lee Mundy, Jr.

I do not presuppose that in any way I can fill their shoes. What I can do is promise this committee and the American people that they represent, and most importantly, promise our corps that I will give it 110 percent, my heart and my soul.

I am glad to be here with General Reimer. He is an artilleryman, I am an infantryman. Any infantryman that does not love an artilleryman is sick, so I can assure you there is going to be a great working relationship here.

I am also thankful that the committee saw fit to mention my family, my wife, who, if I am confirmed, will embark on her 21st move in 31 years; my son and daughter-in-law, who I am so proud of, and my father, who, if I know anything about moral courage, anything about integrity, anything about honor and anything about selflessness, I learned from him.

Thank you very much, and I look forward to your questions.

Chairman THURMOND. Thank you very much. I have a few questions to ask each of you. I would like for each of you to respond to each question. Then we can move on.

Have you adhered to applicable laws and regulations governing conflict of interest?

General REIMER. Yes, Mr. Chairman.

General KRULAK. Yes, Mr. Chairman.

Chairman THURMOND. Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

General REIMER. No, Mr. Chairman.

General KRULAK. No, Mr. Chairman.

Chairman THURMOND. Thank you.

General Reimer, in January the Army announced that U.S. Army Reserve Command will begin the internal reorganization of the Army Reserves Continental Headquarters structure.

The plan eliminates 20 RSMF Commands and streamlines administration command and control. As you may know, this plan is being criticized by some in the Congress as impractical step to downsize the Army Reserves.

As Commander Forces Command and in the chain of command of the Reserves, please tell us why this reorganization is important.

General REIMER. Mr. Chairman, the reorganization you refer to is important in order to streamline the U.S. Army Reserve. As you indicate, the U.S. Army Reserve Command falls under Forces Command.

General Barrett has had a group of USAR commanders who put that plan together. He approved it, he passed it to me, we forwarded it.

I believe that the plan is sound. I believe it is necessary in order to ensure that the U.S. Army Reserve Command remains trained and ready to accomplish their wartime mission.

Chairman THURMOND. General Krulak, it appears that virtually all future U.S. military operations will be joint operations. The Navy and Marine Corps team has a tradition of working together in a joint fashion. However, once ashore, the Marines frequently find themselves fighting alongside the Army.

The question is: How would you rate the current ability of the Army and the Marines to fight together in a joint mode? What problems exist? Are you satisfied with the cooperative efforts on the part of both the Army and the Marines at all levels? What ideas do you have to improve cooperation and jointness?

General KRULAK. Sir, I am fortunate to be the component commander serving for two Army war fighting CINCs, General Luck in Korea, and General Pea for Southwest Asia, the Central Command.

In both instances, I find my Marines, and in particular, my role well suited to their battlefield and their battle plans. We have at the present time encountered no difficulties whatsoever in merging our forces and becoming an integral part of their war plans.

Problems, you asked. I think perhaps the command and control interoperability that we saw as a problem in Desert Shield/Desert Storm has for the most part been solved; so I believe that the command and control issues that we saw before do not exist now.

In reference to cooperative efforts, we, as an example, in the Central Command, have an initiative ongoing that has members of my staff literally shifting over at the 1½ year mark to join General Pea's staff and vice-versa, along with the other component commanders of the 3d Army and the Air Force.

So we are taking a very forward-looking step toward integration of our staffs to ensure that we have good cooperation in the joint arena.

Chairman THURMOND. General Reimer, the Comanche light attack helicopter has been described as one of the Army's top developmental programs.

Would you tell the committee why the Comanche is so important to the Army? Also, the program suffered a severe cut as a result of the Deutsch memo. What is the effect on the program? Does the Army still have plans to procure the Comanche?

General REIMER. We consider the Comanche helicopter, Mr. Chairman, as kind of the quarterback of our Force XXI tactical force that we are fielding for the 21st Century. It is a force that is based upon the digitization of the battlefield.

The Comanche enables us to find the enemy, to pass information very quickly to the combat arms, and to engage that enemy. It also helps us to improve situation awareness. So I think the Comanche is vital to Force XXI.

I also feel that the restructuring program was the best that could be done at that particular point in time. The good news is that it kept the Comanche program alive. We would have liked to have fielded it a lot faster.

We do have money problems in terms of modernization. But I think the Army continues to have a firm commitment to the Comanche.

Chairman THURMOND. General Krulak, it is important that we provide safe, secure and appropriate working and living environments for our military personnel and their families. I, therefore, applaud Secretary Perry's initiative to provide an additional \$2.7 billion over the next 6 years in this area.

I am also concerned that this initiative may take resources from the training and modernization accounts. If you are confirmed as the next Commandant, what consideration will you give to balancing the funding for quality of life and readiness?

General KRULAK. Sir, if confirmed, that is probably the toughest issue that I will face, and that is the balancing of resources in an era when resources are declining.

We have an organization at Quantico, Virginia, called the Marine Corps Combat Development Command that is the engine of something called the Combat Development Process, where we take requirements, prioritize those requirements and match them against the resources.

I will utilize that system to a great degree to assist me in achieving the balance that I agree with you, sir, is so important.

Chairman THURMOND. I believe my time is up. Senator Nunn.

Senator NUNN. Thank you, Senator Thurmond.

Along the lines of Senator Thurmond's last question, there is an article in the March 12 Sunday Edition of The Washington Post, by Daniel Evans, former retired Marine Corps lieutenant colonel. The title of it is "Clear and Present Diapers."

I do not know whether any of you have seen it, but it talks about this challenge between the funding of family-oriented needs and the percentage of married individuals in the military and whether we can continue to support that trend in terms of the expense. It

talks about the expense of family housing, the expense of an awful lot of things.

I would ask both of you to take a look at it, and if you have any comments on it later, I would like to hear from you about it, because I think the issue presents a real challenge.

As part of the volunteer force, as part of the environment we are in now, we certainly want to take care of families. He raises the core issue of whether we should continue to have the same kind of policy that basically, as he says, encourages more and more people in the military to be married, to have families.

Whether that is consistent with readiness or not is a very difficult, tough question.

General Reimer, do you have any thoughts on it?

General REIMER. Senator, I have not read the article, but I would tell you that a large percentage of the Army remains married. I believe very firmly that we have got to take care of not only our soldiers but also their family members.

It is one of the most pressing concerns that I hear from soldiers. If we cannot take care of their families, the soldiers are not going to be able to soldier.

As General Abrams used to say, "The Army is not made up of people; the Army is people."

So I believe very strongly that we must commit to take care of them.

Senator NUNN. I will give both of you the article and discuss it with you at some later hearing point. I think it raises lots of questions including accompanied tours and other relevant matters.

I think that with the cost and with a fixed budget which if anything is going to get tighter. I think we have to not question whether we take care of the families, but rather take a look at the military policy and whether it encourages people to be married or not to be married. Should we move toward a different kind of policy?

I think it is a question all of us have to ponder. I have certainly not made any judgments on it myself, but it is a timely set of questions.

General Reimer, General Krulak, the news from former Yugoslavia is not encouraging. As you know, the United States has a large mobile hospital at the airport in Zagreb, Croatia, which supports the UN operations in Croatia and Bosnia.

Today's news indicates serious fighting has broken out between the Croatian army and the Croatian Serbs. It also indicates Croatian Serbs belong to a number of long-range rockets that have hit Zagreb.

Do you have any thoughts about the security of our military personnel who are in the Zagreb area, General Krulak?

General KRULAK. Yes, sir, I do; I have great concern. I think that, first, in looking at this whole situation we need to realize it is not political in nature. It is a situation that is based on ethnic, religious and geographic differences.

They have been fighting in that area for over 15 centuries. With forces such as one officer and 49 Marines at that hospital, obviously as a Marine I am concerned. I do know that we have a superb commander-in-chief in the area. He has got plans that would be utilized if required to go in and evacuate those people.

Senator NUNN. Those are basically not combat troops, though, and they do not have the equipment for combat.

General KRULAK. That is correct.

Senator NUNN. They are basically humanitarian and hospital personnel. But I understand that there have been some strikes by Croatian MIGs against the Serbs and the Serbs have targeted Zagreb airport.

All of that is something that some people have been predicting was going to happen for some time.

General Reimer, do you have any thoughts on it?

General REIMER. I would certainly agree with General Krulak, Senator. I think it is a very tough situation. I know the commanders over there do have plans to take care of the people on the ground.

I just think it is a tough military situation for us if real war breaks out over there and continues to go the way it is going.

Senator NUNN. General Reimer, on another subject, in the wake of the Oklahoma City tragedy there has been some discussion about expanding the role of the Armed Forces and law enforcement that gets into the so-called posse comitatus statute and the history of the separation of law enforcement and the military.

The military has not had the powers of arrest except in very limited circumstances.

Under the current law the armed forces are permitted to provide equipment, advice and other forms of indirect support, but are generally prohibited from directly participating in arrests, searches and seizures.

What is your general view on this subject, General Reimer? And then I will ask General Krulak the same question.

General REIMER. I think, as a general rule, Senator, that the military should not be involved in traditional law enforcement functions. We are just not trained as a police force. I think the Posse Comitatus Act has served us well. That is my view.

Senator NUNN. General Krulak.

General KRULAK. Sir, the Marine Corps went through that in 1926 when we guarded the mail.

We saluted and said, "Aye, aye," when ordered to do so.

We did not like it then. I agree with General Reimer. I just do not think it is something that we are particularly suited for.

Senator NUNN. As a practical matter why are the military forces not normally suited for arrests, searches and seizures, General Reimer?

General REIMER. I do not think, first of all, that we are trained that way. Second, I think there is a concern with all military personnel about the constitutional issue, and I just do not think we ought to be getting into that type of thing.

Senator NUNN. General Krulak.

General KRULAK. I would agree with General Reimer, sir. We certainly do not train for that skill, and I also believe that coming in front of the American people searching and seizing them is not something that we should be doing.

Senator NUNN. So both of you think if there are exceptions to the posse comitatus law it ought to be very narrow and only based on

unique capabilities of the military, not duplicating certain law enforcement capabilities.

General REIMER. That is correct, sir.

General KRULAK. That is correct, sir.

Senator NUNN. Thank you. My time has expired.

Chairman THURMOND. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

A follow-on to that important question, and I support the statements that Senator Nunn made and indeed the responses from our two witnesses. I would vigorously join in any effort here in the United States Senate to resist empowering our active duty forces with that responsibility.

But I think it would be well to enumerate certain areas of special training, like with nuclear devices, chemical or biological devices, that that expertise, since it is not found in any great depth of the law enforcement agencies, should, at the personal decision, I would hope, of the President of the United States only, be made available to support law enforcement.

There may be some other narrow technical areas, and our distinguished former chairman would agree with me on that.

Senator NUNN. Yes. I think the question is whether the services have a unique capability and then what those unique capabilities are in terms of equipment, advice, support, chemical, biological and nuclear; similarly terrorist, terrorism and certainly intelligence. Many of those things the military can help with.

I guess the question is always: What is it the military should do in arrests and searches and seizures? When you have to go to court and produce chains of evidence is when you begin to cross the line and develop needs for expertise.

Senator WARNER. History has shown that that does not work. I think the American people want to unite behind the President of the United States, whoever that may be, in a unified front against domestic as well as international terrorism, and every single asset that is required should be utilized in that effort.

General Krulak, I am delighted that you mentioned General Mundy. Indeed he has and will always be remembered as a very distinctive and accomplished Commandant of the Marine Corps, and I share your views on that as do the other members of this committee. We look forward to our final salute to him at the appropriate time.

General Krulak, I was reading through a very well written article in the San Diego Union which carried the quotation from retired Colonel John Greenwood. Coincidentally, he was a Marine Corps aide to me when I was Secretary. He followed in the shoes of Bill Leftwich.

You may recall that a very distinguished officer who undoubtedly would have been considered at an earlier time for the post which you are being considered today had he not lost his life on a third tour in Vietnam; likewise, Col. Dick Schultz. I think perhaps you knew both of those officers.

Anyway, retired Col. John Greenwood, editor of the Marine Corps Gazette and the third of my aides, said as follows, "It is a terrible time to be Commandant, there are so many things coming up, so many problems, but I am sure he will do a really good job."

And that, I think, is a valuable observation from a very well trained officer.

It brings me to the question, and that is the transition of our military forces into an ever enlarging role as peacemaking and peacekeeping. Peacekeeping, of course, being primarily under the auspices from time to time of the United Nations, and peacemaking, of course, when peacekeeping fails and force must be employed.

There is a very fine line between those two missions. We saw that in Somalia and indeed in other instances.

My question to both of you is that I hope you support the concept that our forces should only be employed in that type of mission where there is the clearest and convincing of cases to be made to the American public as well as to the men and women in uniform that that mission is in the vital national security interest of our country. First, General Reimer.

General REIMER. Senator, my feeling on the U.S. Army is that we exist to fight the Nation's wars. That is our primary purpose. If we ever have to go to war again, we must be able to win that war.

On the other hand, I think we also must be relevant, to be able to help the government and its policy throughout the world.

I would hope that if we are committed for peacekeeping or peace-enforcing operations, that the thing you mentioned in terms of vital interest is one of the litmus tests that is used to make sure that we are committed properly.

Senator WARNER. I consider it the paramount litmus test. General Krulak.

General KRULAK. Sir, I agree with the Senator.

Senator WARNER. I thank you very much.

I know it requires some special training to properly train and in some instances equip your forces to take on these missions.

General Krulak, I had the opportunity to visit with General Zinny, the commanding officer of that very successful mission, the extraction of the last of the U.N. forces from Somalia. There we employed some special weapons that, frankly, I had never before seen employed.

Do you feel you are getting the opportunity to train your forces in adequate numbers and over an adequate period of time in this special weaponry associated with, peacemaking and peacekeeping?

General KRULAK. Sir, General Zinny was the first to utilize nonlethal systems to any great degree. He did in fact have the opportunity to train his forces with that.

If he were here today, he would echo my comments, which are very similar to General Reimer's. If you know how to fight, if you know how to fight and win, and you are doing it with good troops who are well disciplined, the situations that you find yourself in, humanitarian, peacekeeping, peacemaking, you are going to be effective.

Senator WARNER. General Reimer, what about the nonlethal weaponry? Are they indigenous to the Army now?

General REIMER. My comment would be the same as General Krulak's, because I think the fundamental issue here is to have competent leaders who understand the rules of engagement and

disciplined soldiers who are able to carry out the orders that are necessary.

I think our soldiers get that training. We do it at the Joint Readiness Training Center at Fort Polk. We have been able to send many of our troops and units that go on peacekeeping operations there.

On your specific question about the nonlethal means, it is a new means. We have not had a lot of training on that. We are stressing that now, and there will be more training on that in the future.

Senator WARNER. My last comment, Mr. Chairman, concerns the Commission on Roles and Missions. I hope that each of you will have the opportunity to appear before this commission as I am sure your predecessors have done. I hope that you review the positions taken by your predecessors and that you in turn provide your own personal views, because that report could be very important to the roles and missions of your respective branches of the services and to your tenure as Commandant and Chief of Staff, respectively.

I hope that you can give me the assurance you will pursue that.

General REIMER. Senator, in my case, in terms of the Army input to the Roles and Missions Commission, General Sullivan has kept me very much informed, and I have had input into that. I have not appeared before the Roles and Mission Commission.

I think they are on "short final" in terms of their report. Whether we will have the opportunity to do that or not, I do not know.

Senator WARNER. I think that you should ask for it, and you can indicate that at least one Senator on this committee suggested it.

It would take a lot of time, but it would be very important since you will have to carry out such aspects of that as are accepted by the Secretary of Defense and the President. General Krulak.

General KRULAK. Senator Warner, I just received a letter from Chairman White inviting me to come. I am sure Denny's is probably in the mail right now. I have been extended that invitation and I am going to take him up on it.

Senator WARNER. Good. Thank you, Mr. Chairman.

Chairman THURMOND. I believe the senator from Connecticut is next.

Senator LIEBERMAN. Thank you, Mr. Chairman. I appreciate that.

General Reimer and General Krulak, again, welcome. It was a great pleasure to work with your predecessors, General Mundy and General Sullivan. I learned a lot from them and have tremendous admiration for them, and I look forward to having the same relationship with you.

This is obviously an unsettled time in terms of our national security, both because of what is happening around the world and because of the constriction of our resources.

We are obviously all on the same team, and we really need not only your leadership of the services, but your counsel here as we try to do the right thing to protect the security of our country. I look forward to that as we go forward.

General Reimer, consistent with what I just said, one of the pre-occupations we have had with limited resources is how we balance the current readiness against the need to invest in longer term modernization.

I was struck by one of the statements you made in your answers to the advance questions, and I quote, "We are taking a holistic view of the Army that seeks a balance between near, mid and long-term requirements and the Army imperatives of quality soldiers and leaders training, leader development, doctrine, modernization, force structure, design and mix."

I wonder if I could ask you generally to comment, and draw from that a little bit on how you hope to straighten the balance there between the near and the longer term.

General REIMER. Senator Lieberman, I think that right now I would assess the Army's situation as being okay in terms of near-term readiness. I think we have invested heavily in the near-term readiness accounts. We have run some risks in terms of infrastructure revitalization and modernization, which are long-term readiness aspects.

I think it is important that we recapitalize in terms of money to put in the modernization account. We are trying to do that through efficiencies that we may gain in our business practices and some of our reorganization.

Force XXI is designed to do that. We have a lot of work to do in that particular area. That will be one of my primary challenges if I am confirmed as Chief of Staff of the Army.

Senator LIEBERMAN. Are there any particular areas as we put together the Defense authorization bill for fiscal year 1996 in terms of modernization where you feel there has been stress because of inadequate resources?

General REIMER. Well, I think we have a number of areas in the Army that have been really stressed in the modernization account.

Our modernization account really represents about 16 percent of the Defense modernization monies. We do not have much in our particular area. We have to build that up.

And in terms of specific areas that I am concerned about, we have a Family of Medium Tactical Vehicles program that is broken. It has a gap in it of a couple of years and we have to address that.

We obviously have gone to an upgrade program on tanks and other similar vehicles. That is not coming as fast as we would like. We need some preferred munitions in the area of ammunition.

We need, as I mentioned earlier, the Comanche. So we have a number of modernization challenges ahead that we have to address.

Senator LIEBERMAN. General Krulak, I wonder if I could ask you to answer the same question. I must say that I have met a couple of times in the last year or two with Defense analysts who said that when it comes to modernization and capital equipment it is the Marine Corps that they are most worried about at this point, that its readiness is superb but longer term modernization has some reason to worry.

General KRULAK. That is a very accurate statement, sir. As General Mundy has indicated, he feels that short-term readiness is good and will remain so through 1997, but from then on he has great concern and so do I.

We mentioned the family of modern vehicles. The Marine Corps has a fleet that is also in the last third of its age. We have a helicopter that I flew on when I was a Second Lieutenant in Vietnam.

If it continues at the rate of the buy now, it will not be completed until 2017, which will make it 50 years old.

We have the AAV. We mentioned General Zinny. He barely got off the shore at Somalia. I think we may have paid him to do it, but the fact of the matter is, he had trouble with his AAV. That AAV is desperately needed.

All of this is obviously occurring in a time of very tight resources balanced against what we know are day-to-day commitments that the U.S. Marine Corps is meeting. So it is very difficult. We do have concerns in the out years though.

Senator LIEBERMAN. General Krulak, let me move to a line of questioning that was opened up by Senator Warner, and that is obviously the Marines played a key role in Somalia, both in the involvement and the withdrawal.

Beyond the answers that you gave to the questions that were specific from Senator Warner, are there any lessons that you draw from that experience for future Marine Corps service activities?

General KRULAK. I have given quite a bit of thought to that, and some of what I say is probably going to sound a little outlandish. I think we need to start thinking about language courses for our officer corps. We used to do that; we do not anymore.

I think that the idea of nonlethal weapons should not be looked at as a non-startable, but should in fact be looked at as a method of operating in closed communities, closed urban areas where you do not want to be undisciplined with your fire.

I think that we learned a lot about joint and combined operations, the ability to deal with Government agencies that are not military but are support and humanitarian-type agencies. I think all of that needs to be in the back of our minds, because we are going to see it again.

Senator LIEBERMAN. I did not think those were outlandish at all. I thought those were very responsive and helpful. And I appreciate the answer.

My time is up, but I do want to say my friend to my right, Senator Robb, and I have a running joke with one another about our mutual interest in submarines.

He asked me as I began my questioning how I would find a submarine involvement here, and I was pleased to report to him that your son had served on a submarine.

General KRULAK. I was very hopeful that no one would ask why my son is in a Navy uniform because we do not have time enough in this hearing to cover that. [Laughter.]

Senator LIEBERMAN. Thank you.

Thank you, Mr. Chairman.

Chairman THURMOND. The Senator from New Hampshire.

Senator SMITH. Thank you, Mr. Chairman.

General Reimer and General Krulak, welcome. It is good to have you.

Every time we change command, either at the political level or at the military level, I am always reminded of how much we take that for granted here in America, that the reins are turned over peacefully, in politics every 4 years at the presidential level, sometimes not as peacefully as others, and the same thing when we change command here. It is a great system. It works well.

I remember having extensive talks with the Russians about this. They cannot understand why the military does not control everything over here.

And I say, "Well, they think they do, but they really do not." [Laughter.]

General Reimer, I did not get a chance to visit with you before the hearings. I apologize. We just could not seem to get it scheduled. I am sure you are aware of the controversy that took place last year on the tanks, the M1A1 tanks, the 84 tank transfer.

I am not trying to open up old wounds here. I just want to clarify for the record that I felt that in that controversy, in some of the private conversations that I had with members of the Army, that they went a little bit beyond the Goldwater-Nichols in some of the comments that were made to me.

I just want to get your assurances that you support the Marine Corps having tanks and that it is a legitimate role for the Marine Corps to have tanks.

I would like to get that on the record because one general, who I will not name, of the Army, said to me in a private conversation, "The Marine Corps does not need tanks; they do not know how to use them anyway."

I would like you to comment on that just on the record where you stand on the issue as you take control here.

General REIMER. I would be delighted. I appreciate the opportunity to comment on that, Senator, because that does not represent my views at all.

In 1990, I was the Deputy Chief of Staff for Operations and Plans in the Army. I had the opportunity to work with a great Marine friend of mine, General Joe Hoar, who later went on to command CENTCOM—Central Command.

Joe came to me and said, "We would like to get some of your M1 tanks for our forces over there."

I said, "How many do you need?"

We provided them. We were darned glad the Marines had them. That represents my view, sir.

Senator SMITH. In the recent Nimble Dancer exercise where we simulated the two major contingencies, it is my understanding, that none of the so-called Army enhanced brigades were deployed to fight in either of the simulated wars.

If the guard is to be used in future conflicts, why were they not used in those simulated conflicts?

General REIMER. In the exercise Nimble Dancer?

Senator SMITH. Yes, Nimble Dancer.

General REIMER. I do not know exactly why the enhanced brigades were not used during the Nimble Dancer exercise. But let me just talk about the enhanced brigades for a minute, if I can, because it is an area that I have spent a lot of time on.

I think we are making great progress in the enhanced brigades. We learned a great number of lessons from Operation Desert Shield and Desert Storm.

We have done some, I think, very smart things with the enhanced brigades. We put a package together called The Resident Training Detachment that has gone into each enhanced brigade. It runs somewhere between 40 to 47 personnel who are assigned from

the Active component to those brigades to help improve their training.

In terms of premobilization, we focus the training at the small unit level; again, another one of the lessons learned.

We worked the mobilization plans to bring them up rapidly and be able to deploy them. When I talk rapidly, I am talking about approximately 90 days to get them ready to go. I think they are a very viable part of our force, and we are counting on them very heavily.

Senator SMITH. Let me just give you one example of a concern that I have regarding why this whole issue of the tank transfer came up.

One of my staff recently visited Boise, Idaho, where there are both Army National Guard and Marine Corps Reserve tank units.

He noticed there that the Marine Corps Reservists were doing their training on three M1A1 tanks; yet nearby, the National Guard had about 100 of the same tanks sitting covered greased and ready to go but not being used.

It may have just been the day, but I think that is the kind of thing that concerns me. The fight was so bitter that I felt it was way beyond the spirit and intent of Goldwater-Nichols, and I took it that way.

I understand turf protection, but I think it went too far. I think you ought to take a look at these examples because if the Marine Corps is out there on the front fighting as is the Army, then either one of them, whether it is the Army or the Marine Corps, ought to have the equipment before the Guards if the Guards are not going to go. If the Guards are going to go, it is another story.

I am not anti-National Guard, I am a big fan of the National Guard. I think the issue of the tanks went to the heart of the issue. Enough said on that unless you want to comment on that particular case. I just wanted to make that point.

General KRULAK, on the issue of maritime prepositioned forces, you have three squadrons. How many ships do you have now in the maritime prepositioned forces?

General KRULAK. Thirteen.

Senator SMITH. And you need how many per squadron?

General KRULAK. We are seeking one additional ship per squadron in order to put on such things as the expeditionary airfield, additional armor, tanks, hospital capability and some engineering capability.

Senator SMITH. So you have 13 and you are seeking one more for each squadron. Is that right?

General KRULAK. Yes, sir.

Senator SMITH. So you need 16. Does that meet your needs, 16?

General KRULAK. Yes, sir.

Senator SMITH. How many are in the budget?

General KRULAK. We have one that the Navy is currently working on getting. It is \$110 million, sir.

Senator SMITH. Does that fall into the area that you were just talking about in response to Senator Lieberman's question regarding concerns that you may have in the future regarding equipment?

General KRULAK. Yes, sir, it does. And I think it is a concern for all of us. It reduces strategic lift by having that kind of a system.

So it is the same rationale behind Army prepositioning. Army or Marine, it is good for the nation.

It is flexible. It certainly can move as opposed to a ground prepo so that if you have a contingency that takes place in a spot that you were not sure or had no plans for or no prepo for, the fact that you can move ships to that makes all the difference in the world when you are talking about strategic lift.

Senator SMITH [presiding]. Senator Robb.

Senator ROBB. Thank you, Mr. Acting Chairman.

Senator Levin, may I inquire whether or not you have had an opportunity to ask questions?

Senator LEVIN. I have not.

Senator ROBB. Okay. I would like to say a word. I am not going to ask any questions. If people were about to disappear I was going to terminate the hearing real quickly before anybody got back and extended the agony. [Laughter.]

General Reimer just gave me a thumbs up and I know that General Krulak was thinking the same thing.

Let me just say, Mr. Chairman, or Acting Chairman in this case, that I had very good meetings with both General Reimer and General Krulak. I have had an opportunity to explore several questions.

I also had an opportunity to review the advance questions and some of the things that they had filled out in preparation for the hearings subsequent to their nominations.

I think on the basis of all that I know about both gentlemen I can say without fear of contradiction that they will acquit themselves extremely well as Army Chief of Staff and Commandant of the Marine Corps respectively.

I believe that the President's nominations and choices to head the respective services are fine choices and I look forward personally to working with both of these gentlemen and meeting some of the challenges that we face.

I think that the services, the Army and the Marine Corps respectively, are extremely well served by the nominations that have been made, and I think that we are going to continue on the progress that General Sullivan and General Mundy have made in those services with their designated successors.

So, Mr. Chairman, if you are acting at this point, I will yield back any time that I have and say to both General Reimer and General Krulak, I look forward to working with you and I thank you for being willing to keep it on for another 4 years.

Thank you, Mr. Chairman.

Senator SMITH. Thank you, Senator Robb. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

Let me add my welcome and my congratulations to our two nominees. We wish you well. You come with great records, great recommendations, and I know you will continue your extraordinary service to this Nation.

I wanted to come just for a few minutes and discuss a couple of items that relate to the Army and one particularly that relates to both of the services.

First on digitization: General, I would like to ask you what importance you attach to the digitization effort that we are making in the Army.

General REIMER. Well, Senator Levin, I think the digitization effort is the wave of the future for us. It is the backbone of Force XXI.

I think the opportunity to be able to pass information, particularly in terms of situation awareness on where the enemy is located and where our troops are located, and move it across the battlefield very quickly is terribly important.

I have seen the effects of digitization of the battlefield at the National Training Center. It is not something that we are pressing the edge of the envelope on in terms of technology. The technology is here to make it happen. It improves the way we fight.

I have seen the effects where company commanders are able to move their units very quickly because they know where the units are, and the units know where they are. And through all the smoke and haze of that simulated combat at the National Training Center, they moved very quickly.

I believe it is a fundamental part of Force XXI and terribly important to the U.S. Army.

Senator LEVIN. I have been out to the center and I have seen what you describe, and I am also extremely impressed by it. You were describing to me earlier today one of the examples that you saw where a unit was able to breach an obstacle. I wonder if you would put that in front of us here.

General REIMER. When we ran our warfighting experiment out there, I went out to take a look at the effects of digitization. I came upon, I believe it was a Bradley commander, who had been assigned an overwatch position in the breaching battle. They were trying to breach an enemy obstacle, and it was a well-placed obstacle and a very detailed obstacle.

I went down and talked to him after the battle and he said, "I took my overwatch position." He said, "I did not know exactly where the breach was. I requested information from my higher headquarters. They sent it down to me through digital means. It appeared on my screen, told me exactly where I was, and exactly where I needed to go to reach the breach. I went there and, sure enough, there was the breach."

As I mentioned to you, I have been there for many battles where you did not have that type of capability, and I have seen units not find the breach for a couple of hours or so.

Now that is what I think is a positive example of digitization of the battlefield and what it means to us.

Senator LEVIN. You made some comments about the modernization constraints, the funding shortfalls. Please expand a bit on that. If you have not already given us the examples of where you are afraid we are going to fall short, I would like for you to do that for us here.

General REIMER. Well, as I mentioned earlier, Senator, we have a number of modernization issues in the U.S. Army. I think that the way I assess our readiness right now is the near-term readiness is pretty good. Long-term readiness needs some bucking up, some help.

We have a number of modernization challenges out there. I think I mentioned the fact that we have a Family of Medium Tactical Vehicles program that is very important to us; not always as glamorous as some, but it is terribly important when you have to go to combat or when you have to do other missions that we are required to do. We have a very old fleet that needs to be replaced.

We have a field artillery system that is completely outranged by a lot of different foreign artillery pieces. We need to bring on the Advanced Field Artillery System, which is in the program and is moving, but we would like to move it faster. We have ammunition that needs to be modernized to preferred munitions.

We are upgrading the M1A2, which is terribly important as part of that digitization of the battlefield that I talked about. And the Comanche is another example. It is the quarterback on the digitized battlefield. Those are just some.

It is not all inclusive, but those are the ones that come to mind right now.

Senator LEVIN. I ask this question of both of you. There has been some suggestion that we impose some restrictions on the Commander-in-Chief's authority in the area of multinational operations.

For instance, our troops are now, and always will be, under the command of the Commander-in-Chief. Through the chain of command, there will be an American officer in charge of our troops in terms of the command or the chain of command.

We have in the past, however, in NATO and elsewhere, provided temporary operational control or technical control of some of our units to a foreign commander. Here we are talking only about the temporary operational control or tactical control and not about the ultimate command of our forces.

Can you tell us whether or not you believe that it is appropriate on occasion with the right circumstances and constraints to place forces under the temporary operational or tactical control of a foreign commander in NATO or elsewhere? This question is for both of you.

General Krulak, why do we not start with you?

General KRULAK. Sir, for strict tactical control for a short period of time I would not have that much difficulty. I have seen it. In fact, we have exercised it on occasion during exercise Ulch: focuslens in Korea.

I do not see large forces under the command of anything other than a United States officer in sustained land combat.

Senator LEVIN. Thank you.

General REIMER. I would agree, Senator. I think the command lines are very clear. They must remain under U.S. command and control. But I think operational control for temporary periods of time would work, particularly in coalition type operations such as Chuck referred to.

I think it is important and we have to be able to do that if the mission requires that; but we cannot violate the chain of command staying under U.S. control.

Senator LEVIN. Just one more question about these contingency operations: Are the Marines ready for any contingency operation which you might be assigned by the Commander-in-Chief?

General KRULAK. Absolutely, sir.

Senator LEVIN. General.

General REIMER. I agree. I think the Army is ready also.

Senator LEVIN. I have a few other technical questions that I will have for the record, Mr. Chairman. But that is all I have.

Senator SMITH. Senator Levin, if you have any further questions, we are moving into the second round anyway. Go ahead.

Senator LEVIN. These are just technical issues which I would rather them answer for the record because I think it would be more appropriate there.

Senator LEVIN. I want again to congratulate our nominees. I look forward to working with you. I will not look forward to too many appearances in front of this committee. I do not really want to wish that on anybody, but we will look forward to working with you on many occasions in the future.

Senator SMITH. Thank you, Senator Levin.

Just a couple of concluding points, gentlemen: General Reimer, do you still have an interest in the Osprey? I know it is not your program, but are you interested in having a few of those in your inventory at some point?

General REIMER. You are talking about the V-22?

Senator SMITH. Yes, the V-22.

General REIMER. Senator, I think it is a good aircraft, but I am not sure we can afford it. I have not been into that since I left here. At that time, it was really an affordability problem for us.

Senator SMITH. It is the affordability rather than the concept of the tilt rotor?

General REIMER. Well, I do not know how we would use it. I am not sure that we have a valid need for it. I would want to take a look at that.

Senator SMITH. From your point of view, General Krulak.

General KRULAK. I think it is critical, sir, and I will work on it. I think it is obviously for us. It is the answer to our medium lift replacement requirements.

It is going to be a remarkable aircraft, tremendous range, tremendous speed, tremendous flexibility. We are very excited, and we certainly thank everyone on the Hill because it probably would not have come to pass without the support of many people whose names are around this table.

Senator SMITH. My only reaction to what you said, General Reimer, is thinking of the situation in Vietnam, which is probably the most recent example where if we had had an aircraft of that capability we would have saved lives, assuming the technology works, and I believe that it does.

It could take off like a helicopter and then get out of the jungle in a hurry. Would that have not saved some lives, more than just trying extract people with a chopper?

General REIMER. I imagine it would save lives. It is a tremendous aircraft that has a tremendous capability and certainly pushes the edge of the envelope, I think, in terms of technology. But as far as the Army's requirements right now, I just do not think they are there for the V-22.

Senator SMITH. Let me ask both of you a question about morale. The military has been beat up a little bit from time to time on various issues, usually highlighted, perhaps unfairly, whether it is

usually some incident that brings negative publicity on to the military, not focusing on all the good things that you do and all the successful operations that you have.

How is morale holding up in the forces, both the Army and Marine Corps, and, also, is it impacting in any way recruiting of good men and women? I will start with you, General Reimer.

General REIMER. I think the way I would assess that, Senator, which is a very good question, is that the morale I find among the soldiers I talk to out there is very good.

I think they enjoy being in the Army and they enjoy doing what they are doing. If they have concerns, it is the concerns about the uncertainty of their future in the Army.

They have been through a tough period. We have drawn down the Army by about 36 percent. It has been rough. We had to let a lot of good people go. We say, "look to the future", and they look at retiree pay benefits and health benefits that are somewhat eroded. So they are concerned about that. That probably is the biggest concern.

But on near-term morale, the morale of the soldiers we have in the U.S. Army today I think is very good. It is much higher than probably we should expect having been through what we have been through in the last 4 years.

In terms of propensity for service, we are concerned about our ability to continue to enlist quality soldiers. The polls that we have seen have shown that the positive propensity for service has gone down.

That concerns us because we have to have quality soldiers. Quality soldiers are the foundation of the U.S. Army, and we cannot fall off of that.

Senator SMITH. General Krulak.

General KRULAK. I would agree with everything that General Reimer said. The morale of the individual Marine is sky high. They really feel like they are doing great things for their nation. They are proud of what they are doing, they are proud of their uniform.

When it comes to propensity to enlist, we also are having problems in the awareness of the young men and women of America that there is a challenge and there is an opportunity to serve.

The propensity is not there. It certainly is not there to the degree it used to be. Within the Marine Corps, we are having absolutely no trouble with re-enlistments. So that is probably the greatest single indicator insofar as morale is concerned.

Senator SMITH. Are recruits coming from the advertising that you do, or is it just word of mouth?

General KRULAK. The advertising is extremely important, sir.

Senator SMITH. Do you recommend continuing funding?

General KRULAK. Sir, we have a plus up of \$6 million and that has been very helpful to us.

General REIMER. I think we hit a point in there where we did not have much advertising money, and that really hurt. And I really appreciate the help you have given us in advertising, because we need to make sure that people understand that the U.S. military is still hiring and we are looking for good folks.

Senator SMITH. At some point, I would like you to provide, not necessarily for the formal record, some specific examples of the long-term readiness concerns that you have in both your branches.

I know you referred to a few things here today, and I think it is very important for us to look at them as we make budgetary decisions.

Senator SMITH. You know that the debate that has been out there, of course, is pretty much a hard freeze on the military budget for the next 7 years. It will be rough if it comes down that way.

Some of us would like it to be a little better, but I do not know if we are going to win. I think long-term readiness needs to be addressed and the more information you get to us the better.

Unless you have any other comments, gentlemen, I will gavel it down. Thank you very much and good luck to you.

General REIMER. Thank you, Senator.

General KRULAK. Thank you, Senator.

Senator SMITH. The hearing is adjourned.

[Whereupon, at 4:30 p.m., the hearing was adjourned.]

[Prepared questions submitted to Gen. Dennis J. Reimer, USA, by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

DEPARTMENT OF THE ARMY,
HEADQUARTERS, U.S. ARMY FORCES COMMAND,
April 28, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of congratulations on my nomination by the President to serve as the Army's Chief of Staff.

Enclosed are the answers to your defense policy issue questions. I appreciate the opportunity to submit my views in advance of my confirmation hearing and look forward to appearing before the committee soon.

Very respectfully,

DENNIS J. REIMER,
General, U.S. Army,
Commanding Officer.

Enclosure.

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. The Senate Armed Services Committee has a deep and continuing interest in the complete and effective implementation of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, and related legislation. Are you fully committed to the complete and effective implementation of the Goldwater-Nichols Act, the special operations and low intensity conflict reforms, and related legislation?

Answer. I support the complete implementation of the Goldwater-Nichols Act. I am fully committed to conducting joint and combined operations and believe we have made significant strides in the Army and within all the services in this regard. The reforms associated with special operations are a good example of how we have improved joint capabilities. At the same time, we must continue to ensure that special operations capabilities are fully integrated into the plans, training, and operations of the geographic CINCs. The geographic CINCs must have available the full range of capabilities needed to execute contingency plans in their areas of operations.

Question. What is your view of the extent to which these defense reforms have been implemented thus far?

Answer. I believe we have fully implemented the reforms called for in the Goldwater-Nichols Act. The military has benefited from these reforms in a number of important ways. The successful military operations in Rwanda, Kuwait, and Haiti are the most recent examples of the improvements in our ability to conduct effective joint operations. CINCs are now better able to organize and control their assigned forces. They are clearly the officials responsible for the conduct of operations and other assigned missions within their areas of operations. The advice that the Joint Chiefs of Staff (JCS) are providing to the President and the Secretary of Defense continues to be solid and reflects increasing jointness. The service Chiefs retain a key role in this regard. If confirmed, I will assist the Chairman in providing advice to the National Command Authority, particularly in regard to land operations and my service Title 10 responsibilities. Finally, we have executed a number of important joint personnel and schooling initiatives that are also contributing to our ability to operate jointly. The Armed Forces have taken many steps to implement the Goldwater-Nichols reforms. Because of these efforts, we are a better military, better prepared to operate in today's uncertain security environment.

Question. Do you have any plans for further action to ensure fuller implementation of these defense reforms in the Army?

Answer. I am fully committed to improving our joint warfighting capabilities. If confirmed, I will continue to fully support the Act. The Army will continue to pursue refinements which enhance the employment of Army forces with those of the other services under the joint direction of the combatant commanders.

Question. What do you understand the role of the Chief of Staff of the Army to be under the Goldwater-Nichols Act relative to the Secretary of Defense, the Secretary of the Army, the Chairman of the Joint Chiefs of Staff, the other members of the Joint Chiefs, and the combatant commanders?

Answer. In conjunction with the other members of the Joint Chiefs, the Chief of Staff of the Army assists the Chairman in providing military advice to the Secretary of Defense and the President. He provides military advice on Title 10 functions and on global military-political strategy issues. Under Goldwater-Nichols, he also retains Title 10 responsibilities for service planning, programming, and budgeting. These functions are closely coordinated with the service Secretariat and the Office of the Secretary of Defense (OSD). The Army Chief of Staff serves as the senior military advisor to the Secretary of the Army and the Secretary of Defense in these processes. In developing the service budget, he continually addresses the requirement to support the CINCs with the most capable Army forces. Doing this requires the Chief of Staff to consult closely with the Chairman, the CINCs, and the other service Chiefs.

Question. From the perspective you have gained in your previous assignments, particularly as Commanding General, Forces Command, do you believe that the authority and responsibility of the combatant commanders is appropriate?

Answer. Yes. First, Combatant Commanders exercise combatant command authority (COCOM) over assigned Active component (AC) forces, and over all Reserve component (RC) forces ordered to active duty and validated for deployment. COCOM permits the CINC to give authoritative direction in military operations, joint training, and logistics; to prescribe the chain of command within the combatant command; to employ assigned forces as necessary to carry out assigned missions; to coordinate and approve selected aspects of service administration and support (such rating schemes and evaluations, resourcing of JCS exercises, and logistics and personnel policies); to discipline forces; and to select the command's staff and component commanders.

Second, CINCs exercise training and readiness oversight (TRO) of assigned RC forces not on active duty. TRO enables the CINCs to approve participation in joint exercises and overseas deployments for training, to provide guidance and review submissions for training and readiness programs, to obtain and review unit readiness reports, to inspect forces, and to coordinate and review mobilization plans, including post-mobilization training and deployability validation.

RELATIONSHIPS

Question. Section 162(b) of Title 10, United States Code, provides that chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Chief of Staff of the Army to the following offices:

Under Secretary of Defense
The Assistant Secretaries of Defense

The Chairman of the Joint Chiefs of Staff
 The Vice Chairman of the Joint Chiefs of Staff
 The Assistant to the Chairman of the Joint Chiefs of Staff
 The Director of the Joint Staff
 The Secretary of the Army
 The Chiefs of Staff of the other services
 The combatant commanders

Answer. If confirmed as the Chief of Staff of the Army, I expect to develop close and effective relations with key officials in the Department of Defense, including those within the Office of the Secretary of Defense, the Joint Staff, the Department of the Army, the other services, and the combatant commands.

I would fulfill the statutory requirement for military department personnel to cooperate fully with the Secretary of Defense's staff in order to carry out the guidance and policies of the Secretary of Defense. In addition, I plan to seek out opportunities to enhance channels of communication with the Under Secretaries and Assistant Secretaries of Defense, as well as other appropriate OSD officials.

If confirmed as a member of the JCS, it would be my duty to provide frank and timely advice and opinions to the Chairman and Vice Chairman of the JCS and to my fellow service Chiefs. I look forward to developing strong working relationships with these colleagues, many of whom I know from previous service. I expect to rely on the Assistant to the Chairman of the JCS and the Director of the Joint Staff to implement the policies and programs established by the JCS.

If confirmed, my relationship with the Secretary of the Army would be close, direct, and supportive. Within the Department of the Army, a large part of my responsibility as Chief of Staff would involve communicating the Army Staff's plans to the Secretary of the Army and implementing the Secretary's decisions through the Army Staff. In this capacity, my actions would by statute be subject to the authority, direction, and control of the Secretary of the Army. In my capacity as a member of the JCS, I would also be responsible for appropriately informing the Secretary of the Army about conclusions reached by the JCS and about significant military operations. I anticipate that, in addition to statutory requirements, I would at all times work closely and in concert with the Secretary of the Army to establish the best policies for the Army in light of national interests.

As a former commander of a combatant command, I appreciate the importance of strong relations with supporting service Chiefs. If I am confirmed, I plan to make support to and communication with the combatant commanders a priority. Through my membership in the JCS, I would also have the opportunity to influence actions taken by the combatant commanders; I expect to use my position to ensure coordinated action between the combatant commands and the Army.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Chief of Staff of the Army?

Answer. The next Chief of Staff can expect to confront a wide range of challenges which center on the Army's ability to support the National Security Strategy and National Military Strategy in an era of diminishing resources. These challenges can be catalogued into three broad, general areas:

Vision . . . keeping the Army trained and ready and taking care of our quality people;

Process and execution of the Army's Title 10 responsibilities;

Resource management and recapitalization of America's Army.

General Sullivan's vision of America's Army as a trained and ready force serving at home and abroad served as a valuable guiding point as the Army transitioned from a Cold War forward deployed force to the power projection force of today. His vision of Force XXI describes (correctly, I believe) the challenges for the future. The Army needs an affordable plan to convert Force XXI into "on the ground" capabilities that it can use to support the National Military strategy and prepare for the knowledge-based warfare of the 21st Century.

At the same time, we must never forget our quality people. As General Creighton W. Abrams used to say, "The Army is not made up of people. The Army is People." I am firmly committed to them and will do everything I can to ensure they are provided an adequate, predictable quality of life.

Second, the Department of the Army is responsible for providing trained and ready land combat forces, today and tomorrow, capable of meeting the operational requirements of the CINCs, who ultimately must execute the National Military Strategy. In this area, we face a number of challenges, to include providing a trained and ready force as we continue to draw down to 10 divisions; the require-

ments for strategic mobility, POMCUS and pre-positioning of equipment; modernizing the force; and early access to the Reserve components. Many processes and organizational designs of the Army are still based on a Cold War paradigm. We have already begun the process of reengineering to meet not only the current challenges of a force projection Army, but also the future challenges of knowledge-based warfare we envision in the 21st Century.

Finally, we must balance resources to ensure current and future readiness. We are taking a holistic view of the Army that seeks a balance between near, mid, and long term requirements and the Army imperatives of quality soldiers and leaders, training, leader development, doctrine, modernization, and force structure design and mix.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. In terms of the three broad areas that I have just discussed, I would look at the following ways to address these challenges:

I would look at building on General Sullivan's vision. We must devise an affordable plan which will address the challenges of knowledge-based warfare and maintain the U.S. Army's position as the world's preeminent land power. We can't do that without recruiting and retaining quality soldiers. The chain of command is sensitive to this issue, and I will work with them to ensure we do everything we can to realize our vision.

In terms of the Department's Title 10 responsibilities, the Chief of Staff of the Army's interaction with the other service Chiefs, and the Chairman and the Vice Chairman of the JCS, has taken on added importance. I would continue to examine how the institutional Army seeks to fulfill its core competencies of organizing, training, equipping, providing, and sustaining the land component needed by combatant commanders of joint and multinational forces.

Finally, I would look at the resourcing and re-capitalization of the Army to prepare for the 21st Century. I believe we must examine problems in terms of the Army's six imperatives. In terms of quality people, we must balance tough demanding training and quality of life for our military families. In the second area, training, we must continue to focus our attention on the Army training system, including the use of simulators and simulations and the full development and implementation of the Army's operational readiness concept. This approach carries over into leader development. There, we must continue to exploit the opportunities provided by the "information super-highway," while simultaneously developing officers and NCOs with operational experience and leadership abilities for the 21st Century. Doctrine will assist in this effort and provide the foundation for training; it serves as the Army's engine of change. In the key area of modernization, we must continue to examine capabilities and ensure that we focus on the command and control and integrative capabilities that information technology provides. In terms of force structure, design and mix, we must organize properly, including the right mix of combat, combat support, and combat service support, along with the optimum Active component/Reserve component mix.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the performance of the functions of the Chief of Staff of the Army?

Answer. My initial observations and thoughts on this question are derived from my experiences as Deputy Chief of Staff for Operations during Desert Shield/Desert Storm, as Vice Chief of Staff of the Army, and as a specified commander-in-chief and the Army component Commander for United States Atlantic Command. As we emerge from Cold War organization and paradigms, believe that we must re-evaluate the role of the service Chiefs vis-a-vis the Joint world. Service Chiefs are force providers for the CINCs. Today they must accomplish this in an increasingly constrained environment, sometimes with little control of the resources they are tasked to provide. As resources for defense diminish, it is important that the service Chiefs have the ability to manage service assets with as much flexibility as possible. Restrictions on the service Chief's ability to manage his resources should be minimized.

Question. What management actions and timelines would you establish to address these problems?

Answer. I think it would be premature to describe a detailed plan of action to address all the challenges I have laid out. Presently, there is a mechanism support, that is driving the Force XXI process and will provide valuable feedback into the decisions I must make if confirmed. As commander of an Army major command, I had input in the development of this process or campaign plan. Milestones have been established with the campaign plan, and I think it important to stick to the

plan as much as possible. However, I do not see this plan as "locked in concrete" and would not hesitate to modify it if required.

QUALIFICATIONS

Question. Section 3033 of Title 10, United States Code, requires the Army Chief of Staff to have had significant experience in joint duty assignments, including at least one tour in a joint duty assignment as a general officer. Do you meet the requirements of the law or did the President have to grant a waiver in your case?

Answer. Yes, I meet the requirements of Section 3033 of Title 10, United States Code. I have served in two joint duty tours, one of which was an assignment as a general officer.

As a major, I served a tour as aide-de-camp to the Commandant of the Armed Forces Staff College. As a brigadier general and major general, I served a general officer tour as Chief of Staff, Combined Field Army, Republic of Korea, and later Assistant Chief of Staff, C-3/J-3 (Operations), Republic of Korea/United States Combined Forces Command, Korea. The President granted no waivers for my nomination.

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. In over 32 years of active service, I have served in a wide variety of assignments, at home and abroad, in peace and war, both in the field and on staff. These experiences, combined with professional schooling and personal study, have shaped my perspectives on the strategic, diplomatic, political, and social realities of today's world. I've been privileged to lead soldiers at every level from platoon to division and have helped our Army change from a Cold War force oriented on Europe to a power projection force prepared to serve the Nation worldwide. As Vice Chief of Staff of the Army, I dealt with major readiness, modernization, and procurement issues that continue to resonate today. As Commanding General of Forces Command, I have made hard decisions on priorities and resources. In these positions, I worked closely with the other services, as well as with Congress. I believe that all these experiences will serve me in good stead as I work with the Department of Defense, the administration, and Congress to shape the Army of the future.

RESERVE COMPONENTS

Question. In December 1993, the Reserve Community and the Army leadership agreed in the so called Off-Site agreement to restructure the Reserve components. By all standards this was a historic agreement that in the long term will increase the readiness of our Reserve components and the Army. Although the implementation of the agreement will take several years to complete, do you as Commanding General, U.S. Army Forces Command, have any concerns with the agreement or recommendations on the realignment of the Reserve components?

Answer. I worked on the offsite agreement as Vice Chief of Staff of the Army, and I am fully committed to it. The basic agreement is on target. My only concern with the agreement centers around affordability. The Army is approximately half way through the implementation of the agreement, which is scheduled to be complete by the end of fiscal year 1997. All three components of the Army (Active, Guard, and Reserve) have worked together to make the reorganization go as smoothly as possible. Both Reserve components have worked to retain quality soldiers through job fairs, reclassify soldiers into other skill areas, and have taken other similar actions. The Army will continue to monitor the implementation of the agreement to ensure that we maintain readiness and take care of soldiers during the process.

Question. Are you satisfied with the current balance of force structure between the Active and Reserve components in the Army?

Answer. The force structure balance between the Active and Reserve component should continue to be reviewed to ensure our ability to meet the full range of operations and missions defined in the National Military Strategy and Defense Planning Guidance. Each component of America's Army serves the Nation, both at home and abroad. Each contributes to our capabilities in different ways, but it is the combination of the components that gives the force its flexibility and effectiveness for various missions.

CINC requirements and the Army's internal analysis process are the key efforts that provide the analytical basis for balancing Active component/Reserve component (AC/RC) force structure, both in the near term and into the next century. We have made great strides moving to a post-Cold War Army, but not without turbulence within all components. Our AC/RC mix will continue to be based on strategic requirements keyed to required response time, readiness, and affordability.

Question. Are there more innovative ways to make use of the National Guard and Army Reserve?

Answer. I think we have made some progress in this area. We have established a link between the National Training Center (NTC) and the maintenance training conducted by the Army National Guard at Camp Dodge, Iowa. This has resulted in a win-win situation by ensuring that Reserve component general support maintenance companies receive realistic training on the modern equipment they must maintain during combat and by helping reduce the cost of training at the NTC. The U.S. Army Reserve Command has taken over responsibility for running a number of our bases in the continental United States and is doing it at reduced cost. In addition, we are examining their ability to provide needed support to our soldiers not located at or near a major installation. Reserve component transportation companies have helped move units from Fort Polk to Fort Hood, thus reducing costs and providing excellent mission-type training. These are just some examples of things we have done. There are other plans being evaluated.

As we evaluate ongoing and projected operational missions, it is important that we maintain a balance that is fair to RC soldiers, families, and employers. I plan to continue to pursue innovative ways to increase RC participation to support expanding operational and peacetime requirements that assist in reducing Active component OPTEMPO, improve efficiency, and sustain RC training requirements.

Question. Each year the Congress adds money for additional weapons and equipment for the Reserve components. Would you comment on the value of these annual congressional add-ons for the National Guard and Army Reserve?

Answer. Congressionally directed add-ons which focus on validated warfighting needs for the National Guard and Army Reserve provide the Army with the ability to improve readiness above the affordability limits of the Army to provide equipment to the Reserve components.

Question. In your opinion, why are these items not included in the Department's budget request?

Answer. It is the Army's goal to have a highly trained, fully modernized, and deployable force. However, budgetary realities limit the size of the budget request and preclude the Army from fully resourcing total requirements. These affordability limits result in equipping shortfalls that affect the Total Army. These shortfalls are partially off-set by congressionally directed add-ons, provided that any additional funds are targeted against known readiness items that the Army is unable to resource from within the budget request.

QUALITY OF LIFE

Question. As you know, the Secretary of Defense has stressed Quality of Life improvements in the fiscal year 1996 defense budget. What do you consider the Army's most critical needs in this area?

Answer. As previously indicated, I believe it critical we provide our soldiers and their families with an adequate, predictable quality of life. Most of the concerns I hear from them center around perceived erosion of benefits (pay and compensation for Active and retired); a reduction of quality, accessible health care; and the deterioration of housing for both married and single soldiers. I believe these are three very important quality of life issues we must address.

EQUAL OPPORTUNITY

Question. The Senate Armed services Committee is deeply concerned over a number of events in recent years that have called into question the Department of the Army's commitment to ensuring equal opportunity for women and minorities. What actions will you take to ensure equal opportunity for women and minorities under your command?

Answer. The effectiveness of the Army's Equal Opportunity Program begins with the commitment of its leadership. If confirmed as Chief of Staff, I will have a responsibility not only to set a personal example of decency, fairness, and support for women and minorities within the Army, but also to create an organizational climate which fosters mutual respect throughout the service. I will not tolerate anything less than fair and equitable treatment of all soldiers in America's Army. Likewise, I will hold subordinate commanders accountable for their actions and personal commitment to create a positive and supportive command climate. They must eliminate and prevent discrimination and sexual harassment within their commands.

Effective October 1, 1994, the Army expanded roles for women in the Army by opening additional positions based on the new definition of direct ground combat. This action sends a strong signal to soldiers and the American public that the Army is committed to maximizing human potential and to the creation of an environment

where each individual is free to contribute to his or her fullest potential. If confirmed, I will monitor the implementation of this initiative to ensure women are indeed afforded a wider range of career opportunities while maintaining the combat readiness of the force.

Question. What actions will you take to ensure effective investigation, and appropriate action, to address incidents of unlawful discrimination or other unlawful conduct toward women and minorities, should such problems arise within your command?

Answer. As you are aware, last year the Army introduced a restructured Equal Opportunity complaint process. This system requires an investigation of all formal complaints of unlawful discrimination and sexual harassment. The initial feedback we have received shows this new system to be highly successful in addressing complaints of discrimination and sexual harassment. In addition, most of our installations utilize the Defense Equal Opportunity Management Institute (DEOMI) surveys. I believe they provide good feedback and will continue to encourage commanders to take maximum advantage of the services DEOMI offers.

Based on both internal assessments and the recommendations of both the Department of Defense Task Force on Discrimination and Sexual Harassment and the Department of Defense Inspector General, the Army recognizes that we still have work to do in sustaining the high investigative standards demanded in such cases throughout our service. The Army is currently modifying and strengthening its investigative procedures and requirements to increase the effectiveness of investigations of unlawful discrimination and sexual harassment. We are also increasing the extent and quality of training provided to officers assigned to investigate complaints of discrimination and sexual harassment.

If confirmed, I will strongly and emphatically support the Army's past initiatives and work to ensure that there is an understanding that our soldiers must be treated with dignity and respect at all times.

Question. What specific actions have you taken in your present job and in your previous jobs to demonstrate leadership in these areas, particularly as a commander?

Answer. During my career, I have always attempted to set the example in both word and deed. Specific actions taken in my current job include:

- Updated and republished the FORSCOM Affirmative Action Plan (FORSCOM Circular 600-92-1);
- Reimplemented the FORSCOM EO Staff Assistance Visit Program, one area of which is to assist and ensure EO complaints are processed in accordance with Army Regulation 600-20, change 4;
- Encouraged increased usage of EO climate assessment surveys such as the Military Equal Opportunity Climate Survey;
- Increased commander and senior NCO involvement in EO training, including a senior NCO workshop at the Defense Equal Opportunity Management Institute;
- Assisted Headquarters, Department of the Army, and subordinate commands to correct errors in EO authorization documents.
- Implemented an EO/Sexual Harassment hotline throughout FORSCOM.

ASSIGNMENT OF WOMEN

Question. There have been a number of articles in the press concerning "the sleeping arrangements for male and female soldiers deployed to Haiti and other areas. The Army staff has advised the committee that in all field exercises and contingencies, the Joint Task Force Commander and subordinate commanders are responsible for billeting arrangements. Do you support male and female soldiers sleeping side-by-side in the same tent or other structure?

Answer. A simple yes or no response does not adequately address the question. Since the Joint Force Commander and subordinate commanders are "on the ground," they can assess the actual conditions present in the operation and are in the best position to determine what arrangements are appropriate. The first consideration is security. Commanders are responsible for ensuring their soldiers are protected within the constraints of the mission. For example, in a hostile environment, all soldiers in a unit may be billeted together in close proximity for security reasons.

Billeting arrangements may also be determined by the length of deployment. Soldiers may sleep out of doors in the initial days of a contingency operation, but indoors (tent or building) after the situation stabilizes. Permanent structures may not be available at the location. Army units often operate in very austere conditions with limited facilities and resources. However, it has always been my strong desire that every soldier be afforded an adequate degree of privacy consistent with the security requirements of the specific situation.

Question. What guidance will you, if confirmed as Chief of Staff of the Army; provide to your commanders on this matter?

Answer. If confirmed, my guidance will be as follows: Do everything you can to ensure a secure, safe environment for your soldiers; be sensitive to the needs of your soldiers for privacy and make every attempt to accommodate those needs to the greatest extent possible; ensure that all soldiers are thoroughly briefed on Army policies regarding fraternization and sexual harassment; and use good judgment.

Our experience has shown that soldiers on the same team hold each other in high regard and do what is necessary to protect and respect the privacy of the opposite sex. Because of a wide variety of missions, optimum privacy is not always possible, but essential privacy, such as latrine and shower facilities, will always be provided.

CIVILIAN PERSONNEL

Question. Many Department of Defense civilian positions are maintained as a function of workload. There has been some discussion about the wisdom of imposing ceilings on the civilian workforce as a simple savings mechanism because it does not consider the amount of work which actually needs to be done. Do you believe your civilian workers should be exempted from the FTE ceiling required by statute as a savings control measure?

Answer. With the inclusion of the Department of Defense in the limitation of Full Time Equivalents (FTE) by the Federal Workforce Restructuring Act of 1994, OSD determined that all services would manage the civilian workforce by FTE workyears. FTE serves as a management tool to size the civilian workforce by limiting the amount of work that can be done in-house. The Army used the "manage to budget" system prior to the implementation of FTE workyears. This system determines the size of the civilian workforce based on funded workload and is potentially more flexible than the FTE system. If confirmed, this is an issue I hope to review because I would prefer a system which provides the maximum flexibility to the commander in the field to manage within limited resources.

PRINCIPAL ROLE OF THE ARMY

Question. What do you see as the principal role for the U.S. Army in terms of our overall national security?

Answer. The principal role of our Army is the conduct of "prompt and sustained" operations on land, at home and abroad, to support the policies of the Nation. This includes fighting and winning the Nation's wars as part of a joint team, and performing the entire range of non-combat operations that support national objectives in periods of relative peace.

Question. What roles should the Army play in contingency, humanitarian and peace operations?

Answer. Peace and humanitarian operations are a subset of what the Army refers to as Military Operations Other Than War.

Peace operations is a new and comprehensive term that covers a wide range of activities. This includes traditional peacekeeping and peace enforcement activities, such as protection of humanitarian assistance, establishment of order and stability, enforcement of sanctions, guarantee and denial of movement, establishment of protected zones, and forcible separation of belligerents.

The fundamental role of America's Armed Forces remains to deter war by promoting stability and, should deterrence fail, to thwart aggression and defend the Nation's vital interests against potential foes. The U.S. Army has a central role in peace operations because of its wide range of capabilities. However, its involvement in these operations must be carefully considered based on the factors identified in the President's Policy on Reforming Multilateral Peace Operations.

Likewise, the Army stands ready to participate in humanitarian and disaster relief operations at home and abroad. The U.S. military's greatest contribution to these operations resides in its ability to rapidly respond when more traditional relief agencies are overwhelmed. The military's role should complement, not supplant, the group of international, regional, governmental and non-governmental actors dedicated to relief. Military forces should be withdrawn once these traditional relief agencies are able to take control of the situation.

If confirmed, I will continue to review the Army's Title X responsibilities for necessary adjustments to accomplish peace and humanitarian operations.

Question. Is there unnecessary redundancy between Army and Marine Corps ground combat forces? Between Army light divisions and Marine Corps divisions?

Answer. The Army and the Marine Corps provide the Nation with unique and complementary capabilities. Combat requirements vary widely, and there is no way

to predict what capabilities will be needed. The Marine Corps and Army provide the capabilities to meet the Nation's security needs.

The Marine Corps provides the land element of the Navy's expeditionary capability, organized and equipped for operations from the sea.

The Army is the Nation's decisive land warfare force, providing rapid and decisive forces with a broad spectrum of capabilities to close with an enemy throughout the depth of his home territory, regardless of its location.

The availability of similar but specialized capabilities in different services allows the National Command Authority to tailor military responses to any contingency, regardless of geographic location or threat.

Question. The assertion has been made that the Army and the Marines are competing for the same declining mission area—the contingency forces role—and that each is pursuing capabilities that the other service already possesses. What is your view of this?

Answer. I do not see the Army and the Marines competing for the contingency forces role. As all services continue to focus on the National Military Strategy, perceived capability duplications will occur. But as noted above, the availability of similar but specialized capabilities in different services provides flexibility to the National Command Authority. As we become smaller, I think it more important than ever that the Army and Marines continue to work closely together. I pledge my effort toward that end.

VISION FOR THE FUTURE

Question. What is your vision for the Army of the future?

Answer. My vision for the Army of the future is that it must be the best Army in the world, made up of the finest Active duty and Reserve soldiers and civilians our country can provide. It will be an Army that is trained and ready to fight and win our Nation's wars, but it will also be an Army that is relevant and capable of accomplishing those other missions we will be called upon to perform, from domestic support to military operations other than war.

Question. What foundations will you lay to facilitate the attainment of that vision?

Answer. The foundations for attaining this vision are already in place. The question is: are they in proper balance? Do some parts need to be strengthened? The Army imperatives of quality people, realistic training, sound doctrine, confident and competent leaders, modernized equipment, and an appropriate mix of forces are the foundations for the Army. If confirmed, I will work with the Army's senior civilian and uniformed leaders, the Secretary of Defense, and the Congress to ensure that we have a proper balance among these imperatives to maintain a trained and ready Army that can do its part in executing the National Military Strategy.

FUNDING PRIORITIES

Question. This administration has made a clear choice to fund readiness and personnel/quality of life programs at the expense of modernization. Commanders in the field have expressed their concerns regarding the lack of sufficient funding for modernization. What is your assessment of the current level of funding for the Army's modernization program?

Answer. Modernization of the future Army is a challenging business. The current assessment is that we will begin limited fielding of the capabilities needed for a technologically modern Army by the 21st Century. Modernization shortfalls are of particular concern in this budget. However, the Army has reshaped its investment strategy to ameliorate the impact of reduced funding by emphasizing product improvements of existing systems and leveraging technology to the degree we can. Still, I believe our modernization program is underfunded, and we will have to find a way to increase funding in the future without degrading our ability to execute the National Military Strategy.

Question. One of the Army's high priority development programs is the Comanche Scout/Attack Helicopter. What is your assessment of the value of the Comanche for the Army?

Answer. The Comanche is the centerpiece for Army aviation modernization. The Comanche is replacing obsolete Vietnam era aircraft (OH-58 and AH-1) that will be over 30 years old in 2003. These aircraft cannot fight at night, are not survivable, are not compatible with the Apache helicopter, do not have the power to operate in many parts of the world, and are at maximum growth potential for technical upgrades.

Analysis conducted during OSD's major aircraft and bottom-up reviews concluded that Comanche is both an operational necessity and a cost-effective solution for Army modernization. Without Comanche, the 21st Century information-based force

lacks a system that possesses the day/night and adverse weather capability to connect to the joint digital architecture, deliver precision fires throughout the width and depth of the battlefield, and support high tempo ground maneuver warfare with versatile armed reconnaissance, light attack, and special operations capabilities.

Comanche is the only available weapon system with the required advanced technologies which will ensure success on the 21st Century battlefield.

Question. Are you satisfied with the current plan for procurement and development?

Answer. I believe that the current plan is workable and fits the Army's timetable. I understand that the decision to restructure the Comanche program, delay production, and produce only two flyable prototypes was made because of budget constraints. That decision delays the objective force outlined in the Army Aviation Modernization Strategy. I also understand that the decision prolongs the risk in Army aviation's number one mission area deficiency of armed reconnaissance.

END STRENGTH REDUCTIONS

Question. If the Army were required to accept a further reduction of Active end strength from the planned 495,000 to 470,000, how would the Army make those reductions? Please explain in terms of force structure and infrastructure reductions.

Answer. I understand that the Army staff is currently studying options to further reduce Active Army end strength while keeping 10 combat divisions. To keep the force in balance, a reduction of this magnitude must cut across everything in the Army's force structure. Combat, combat support, and combat service support units which comprise our early deploying warfighting forces and perform military operations other than war, such as those in Somalia, Rwanda and Haiti, would be affected. Infrastructure, which is vital to the manning, equipping, training, deployability and sustainability of our warfighting forces, and forces stationed in Europe and elsewhere outside the United States, also would have to be looked at. In my opinion, if we are unable to achieve increased efficiencies from leveraging technology and reengineering and if we continue to have the same level of commitment overseas, then we will have to evaluate other options which might require additional base closings and reduction in the number of divisions.

Question. How would a reduction of this magnitude affect the ability of the Army to meet its mission requirements?

Answer. As you know, we have said the 495,000 force, with enablers, can execute the National Military Strategy with moderate risk. At this point, further reduction of AC end strength before the enablers are in place would increase the risk associated with executing the National Military Strategy. If confirmed as Chief of Staff, I will have to take a close look at this issue.

ADVANCED FIELD ARTILLERY SYSTEM (AFAS)

Question. The Advanced Field Artillery System (AFAS) is a high-priority development program for the Army. Explain why the AFAS is important to the Army.

Answer. The Advanced Field Artillery System, now called Crusader, is the Army's next generation artillery system. It will provide an overmatching firepower capability which, through its increased accuracy, rate of fire, survivability, and mobility, will support the force commander's goal of dominating the maneuver battle and protecting the force. We are currently out-ranged by a number of field artillery systems in the world. This is a significant disadvantage should we find ourselves battling an enemy with one of those systems. Crusaders will help reduce that deficiency and are essential if we expect to "maintain the edge" and reduce friendly casualties.

Question. When will the AFAS be fielded?

Answer. The date of the First Unit Equipped is 2005.

Question. Is this acquisition plan satisfactory?

Answer. Yes. The acquisition strategy was approved at the November 1994 Defense Acquisition Board. It is fully funded and on schedule.

Question. Do you believe the use of Liquid Propellant is best for this program?

Answer. To the best of my knowledge, yes. At this time, liquid propellant potentially meets all the Crusader requirements and appears to offer the most cost effective solution for an advanced field artillery system.

TRUCK FLEET

Question. The Army's truck fleet, especially the medium truck fleet, is rapidly reaching the end of useful service life. Because these trucks are old and worn out they are also expensive to operate and maintain. The Army failed to provide adequate funds for tactical wheeled vehicles in the fiscal year 1996 budget request. What should be done to resolve the Army's truck problems?

Answer. The Family of Medium Tactical Vehicles (FMTV) is the cornerstone of the Army's efforts to modernize the medium truck fleet. The testing phase of the program has taken longer than initially planned. However, the Initial Operational Test and Evaluation (IOTE) phase is now on track. FMTV has completed over 600,000 miles of technical and operational testing to date and the ongoing IOTE phase will lead to a full rate production decision in August 1995. Unfortunately, in fiscal year 1996 the Army was not able to fund FMTV due to other higher priority program funding requirements in a very challenging and constrained budget environment.

The Army also believes that it is important to maintain the heavy tactical wheeled vehicle (TWV) industrial bases. However, affordability has precluded the Army from achieving these goals in fiscal year 1996. If confirmed, I will examine the TWV funding levels in fiscal year 1997 and beyond in an effort to support our TWV funding goals in the future. We must strive to maintain an acceptable level of funding for tactical wheeled vehicles in the future so that the Army's truck fleets do not continue to age unacceptably.

BATTLEFIELD DIGITIZATION

Question. The Army has made a significant commitment and laid down extensive plans to "digitize" the battlefield. Why is the Army devoting so much of its effort and resources toward this initiative?

Answer. Ensuring land force dominance requires enhanced battle command systems, improved ability to synchronize direct and indirect fires, better and faster access to intelligence data, and improved situational awareness leading to greater force protection. A smaller, U.S. based force projection Army will be required to conduct high-tempo battlefield operations around the clock, over extended ranges. To be more effective, the force needs to share a relevant, common picture of the battlefield while communicating and targeting in real or near-real time. Digitization will enable the Army to rapidly collect and exploit battlefield information to meet these needs. By exploiting information processing, we can improve situational awareness—thus reducing the possibility of fratricide—decrease decisionmaking timelines, optimize the flow of command and control information, enhance the orchestration of maneuver forces, and streamline the target acquisition and engagement process. We also recognize the power of the revolution in information technology that will enable us to transform the best Army in the world today to the best Army in the world tomorrow. Digitization will provide the means to accomplish this transformation.

Our Army is not the largest army in the world; it's about the eighth largest. Therefore, it is critical that we succeed. If we lose our edge in technology, we stand the chance of losing our position as the world's finest fighting force.

Question. How will the Army ensure that soldiers will be capable of operating this equipment in the future?

Answer. The soldiers entering the Army now have grown up in the information technology age and have been using computers and this technology for most of their lives. The equipment and software itself is extremely user friendly and is being designed for ease of use. The Army is developing new training tools to relieve some of the requirements for extensive procedural training. These same tools will allow leaders and soldiers not only to train and practice, but to develop and refine tactics, techniques and procedures for information age technologies. The training infrastructure developed through this process will maximize the use of simulations, synthetic environments, and seamless connectivity between live exercises and simulation.

To ensure the systems provided are useful and appropriate, the Army has developed a "User Jury" system to evaluate the hardware and software functionality. Soldiers and leaders will evaluate each version of the software for usability and information overload. The evaluation will initially take place in simulation and gradually shift to live experiments in 1996. Data will be captured and used to refine the objective version of the Battle Command Brigade and Below Software.

Question. Will this equipment be interoperable with the other services and allies as well?

Answer. Yes. The Army established the Army Digitization Office (ADO) to manage and coordinate all Army digitization efforts including integration and interoperability with the other services. The Army, like the other services, is upgrading its existing Command, Control, Communications, Computers, and Intelligence (C⁴I) systems and designing its new information systems for compatibility with the joint "C⁴I for the Warrior" concept. The result is called the Global Command and Control System and Common Operating Environment. The Common Operating Environment provides the protocols and standards necessary to ensure seamless connectivity and interoperability among all the C⁴I systems of the services. The Army Acquisition

Executive, the Army's Technical Architect, has mandated the development of the Army's technical architecture in compliance with DOD standards and protocols. The ADO closely coordinates digitization efforts with the other services, Joint Staff, and OSD.

WARFIGHTING DOCTRINE

Question. Describe current Army warfighting doctrine.

Answer. Field Manual (FM) 100-5, *Operations*, is our keystone manual, relating to how the Army, in conjunction with the other military services, will operate when committed to military operations. The 1993 version refines our focus on the linkage of the strategic, operational, and tactical levels of war. It provides an operational concept of simultaneous, continuous all-weather joint and multinational land combat operations throughout the depth of the battlefield.

FM 100-5 describes the employment of Army forces and their integration with the capabilities of other services. The 1993 version of FM 100-5 expands discussion in five key areas: force projection, joint and combined operations, operations other than war, depth and simultaneous attack, and unit versatility. In the future, Army forces will be required to possess capabilities for rapid deployment from the continental United States and forward presence locations. Joint and multinational operations will be the norm; no longer will the Army operate alone. The primary focus for Army actions will be on warfighting; however, recent experiences indicate increased emphasis will be placed on military operations other than war.

Question. Do you plan any major changes in Army warfighting doctrine in the near term?

Answer. FM 100-5 was last updated in May 1993. I participated in that revision. That version reflected major revisions to address changes brought about by the end of the Cold War. The current version departs from a Eurocentric focus, addressing a global environment potentially requiring U.S. forces to be committed anywhere in the world on short notice. Current plans call for FM 100-5 to be reviewed in mid-1996 to ensure continued relevance.

The Army has recently published FM 100-23, *Peace Operations*. Other major doctrinal publications, such as FM 100-15, *Corps Operations*, and FM 71-100, *Division Operations*, are in the final stages of update to ensure consistency with FM 100-5. These publications are the basis for Army military operations across the range of military operations. We will continue to review doctrine to ensure it is relevant to an ever-changing world.

Question. What modernization efforts support this doctrine?

Answer. Within the joint, multinational and interagency environments, doctrine provides the fundamental precepts for the development of subordinate concepts, doctrine, tactics, techniques and procedures. It is the engine of change, impacting every aspect of training, organization, materiel and leader development.

The Army's current five Modernization Objectives are based on our doctrine for military operations. These five objectives are: Project and Sustain the Force, Protect the Force, Win the Information War, Conduct Precision Strikes, and Dominate the Maneuver Battle. These objectives are consistent with the goals of the Army leadership for transitioning the Army into the 21st Century.

BATTLEFIELD INTELLIGENCE

Question. What intelligence programs are most important to the Army?

Answer. All of our Intelligence programs focus on providing the intelligence and targets the commander requires when he needs them. These Intelligence and Electronic Warfare battlefield operating system (IEW BOS) programs are based on warfighter requirements and are complementary with other battlefield operating systems. Although not funded by the Army, Unmanned Aerial Vehicles (UAVs) are an integral part of the IEW BOS and are one of our high priorities. UAVs are funded by the Defense Airborne Reconnaissance Office (DARO). The top three IEW programs funded by the Army are noted below:

- (1) The All Source Analysis System (ASAS) provides correlated and fused multidisciplinary intelligence to commanders at echelons above corps to battalion.
- (2) The Joint Surveillance Target Attack Radar System (JSTARS) Ground Station Module (GSM) provides locational data on fixed and moving targets linked real time to ground stations at echelons above corps to brigade levels.
- (3) The Tactical Exploitation of National Capabilities (TENCAP) program consists of ground processors which take space collected information for fusion with other intelligence sources.

Question. How will these programs contribute to Army mission accomplishment?

Answer. These programs are key to providing intelligence support to warfighting commanders. Our intelligence system is a system of systems that provides the capability to collect, process, and disseminate the time-critical intelligence and targets that our commanders require in military operations across the entire spectrum of conflict. Let me briefly explain how each of them contribute to our mission accomplishment.

(1) All Source Analysis System. Collection capabilities have far exceeded our ability to process collected data, make sense of it, and present intelligence to commanders in a timely fashion. ASAS is designed to automatically receive sensor data, fuse and correlate that information, and provide a common view of the battlefield for commanders at all levels. Without ASAS, Army intelligence analysis and presentation would still be in the grease pencil and acetate age, overwhelmed by information from sophisticated sensors.

(2) The Joint Surveillance Target Attack Radar System Ground Station Module. JSTARS GSM is the commander's battle station to link sensors to shooters. It provides tactical commanders from Echelons Above Corps through maneuver brigade, with near-real time wide area surveillance and deep target information for situation and target development, target attack, and battlefield management. It merges JSTARS Moving Target Indicator information, airborne signals intelligence, and UAV imagery into a single processor tailored to the commander's area of operations.

(3) Tactical Exploitation of National Capabilities. The TENCAP system is a series of ground processors and disseminators that maximizes the tactical leverage of national and theater controlled intelligence collection systems. Utilization of national and joint collectors processed through TENCAP systems precludes Army development of similar systems and satisfies many of the commander's requirements. Commanders can integrate this intelligence with that derived from their own tactical systems to generate the intelligence picture and the targets required to support their operation.

Question. How important is the tactical (close-range) Unmanned Aerial Vehicle (UAV) program to the Army?

Answer. Tactical UAVs are extremely important to the Army. We have both close and short range requirements. The Close Range UAV supports the brigade commander with immediate, confirmed information for targeting, maneuver, and force protection operations. The Short Range UAV meets critical corps and division intelligence and electronic warfare shortfalls with immediate, confirmed information throughout the depths of the battlespace for situation awareness and targeting operations. The Army is in the process of retiring outdated intelligence systems in anticipation of receiving tactical UAVs. Tactical UAVs are a key component of the system of systems that provide time sensitive coverage throughout the width and depth of the commander's battlespace. Cued by other sensors, tactical UAVs confirm high-value targets, reducing the sensor to shooter timelines and providing immediate battle damage assessment. Without UAVs, the tactical commander has no confirming sensor and is limited in his ability to see over the next hill. While UAVs are not funded by the Army, we have a great interest in fielding this capability as soon as possible.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that the Armed Services Committee and other appropriate committees of the Congress are able to receive testimony, briefings and other communications of information. Do you agree, if confirmed, to appear before this committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee or other appropriate committees and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Chief of Staff of the Army?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

COMMAND RELATIONSHIPS

Senator LEVIN. Is this JCS position paper, particularly its definitions of "Command", "Operational Control", and "Tactical Control", still current and valid?

General REIMER. The definitions in the JCS information paper titled, "Command Relationships," to which you refer, are still current and valid.

Senator LEVIN. In your answers at the hearing, you used different terms from those in the enclosed JCS paper. You used terms like "operational command". Did you mean to use terms different from those in the JCS paper, or could you use the JCS terms as substitutes for the terms you used?

General REIMER. The term "operational command" was used to answer the question, rather than the term "operational control," which is used in the JCS paper. Operational command was not used to connote a different meaning. Operational command is a NATO term used to assign missions or tasks to subordinate commanders, deploy units, reassign forces, and to retain or delegate operational control or tactical control as deemed necessary. Operational command does not include responsibility for administration or logistics. Operational control is a U.S. term which connotes a similar type of authority. Operational control provides a U.S. commander slightly broader authority than does NATO operational command. In addition to the authorities of the NATO operational command, operational control includes the authority to prescribe the chain of command, organize commands and forces, suspend and reassign officers, and delineate functional responsibilities.

Senator LEVIN. If you used terms that were not synonymous with those in the JCS paper, please explain the differences and how your explanations of foreign control of U.S. forces differ from those in the JCS paper.

General REIMER. The intent was to use terms which were synonymous with the terms in the JCS paper. I would like to further amplify on the term "operational control" as described in The JCS paper. Joint doctrine describes U.S. operational control as transferable command authority which may be exercised by commanders at any echelon at or below the level of combatant commander (i.e. geographic CINC). U.S. operational control is inherent in combatant command and is the authority to perform those functions of command over subordinate forces. These functions include organizing and employing forces, assigning tasks, designating objectives, and giving authoritative direction over all aspects of military operations and joint training necessary to accomplish missions assigned to the command. NATO operational control is the authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks which are usually limited by function, time, or location. NATO operational control does not include authority to assign separate employment of components of the units concerned. NATO operational control, of itself, does not include administrative or logistical control.

[The nomination reference of Gen. Dennis J. Reimer, USA follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
April 7, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for reappointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Sections 601(a) and 3033:

To be General

To be Chief of Staff of the Army

Gen. Dennis J. Reimer, 447-36-3390, United States Army.

[The biographical sketch of Gen. Dennis J. Reimer, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE ARMY,
Washington, DC, April 12, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The President has forwarded to you under separate cover the following nomination:

For reappointment to the grade of General:

General Dennis J. Reimer, Commanding General, Forces Command, Fort McPherson, Georgia, as Chief of Staff, United States Army.

For the information of the committee, I am enclosing a military career résumé for this officer showing his assignments and grades held.

Sincerely,

JERRY C. HARRISON,
Major General, United States Army,
Chief of Legislative Liaison.

Enclosure.

RESUME OF SERVICE CAREER OF GEN. DENNIS JOE REIMER

Date and place of birth: July 12, 1939, Enid, Oklahoma, hails from Medford, Oklahoma.

Years of active commissioned service: Over 32.

Present assignment: Commanding General, Forces Command, Fort McPherson, Georgia 30330, since April 1993..

Military schools attended:

The Field Artillery School, Basic and Advanced Courses.
United States Army Command and General Staff College.
United States Army War College.

Educational degrees:

United States Military Academy, BS degree, Military Science.
Shippensburg State College, MS degree, Public Administration.

Foreign language(s): None recorded.

Major duty assignments:

Assignment	From	To
Student, Field Artillery Officer Orientation Course, United States Artillery and Missile School, Fort Sill, OK	Aug 62	Oct 62
Student, Ranger Course, United States Army Infantry School, Fort Benning, GA	Nov 62	Jan 63
Assistant Executive Officer, later Executive Officer, 20th Artillery, 5th Infantry Division (Mechanized), Fort Carson, CO.	Jan 63	Jun 64
Assistant Battalion Advisor, Advisory Team 60, United States Military Assistance Command, Vietnam.	Jun 64	Jul 65
Student, Artillery Officer Advanced Course, United States Army Air Defense School, Fort Bliss, TX.	Jul 65	Jun 66
Commander, Company C, 11th Battalion, 3d Brigade, United States Army Training Center, Fort Benning, GA.	Jun 66	Jun 67
Executive Officer, 11th Battalion, 3d Brigade, United States Army Training Center, Fort Benning, GA.	Jun 67	Sep 67
Aide-de-Camp to the Commander, Armed Forces Staff College, Norfolk, VA	Sep 67	Sep 68
Executive Officer, later S3, 2d Battalion, 4th Artillery, 9th Infantry Division, United States Army, Vietnam.	Sep 68	Feb 70
Instructor, United States Army Field Artillery School, Fort Sill, OK	Feb 70	Jul 70
Student, United States Army Command and General Staff College, Fort Leavenworth, KS	Jul 70	Jun 71
Personnel Management Officer, Assignment Section, Field Artillery Branch, Office of Personnel Operations, Washington, DC.	Jun 71	Oct 72
Assistant Executive/Aide, Office of the Chief of Staff, United States Army, Washington,	Oct 72	Dec 74
Executive Officer, later S-2 (Operations), Division Artillery, 4th Infantry Division (Mechanized), Fort Carson, CO.	Jan 75	Jun 76
Commander, 1st Battalion, 27th Artillery, 4th Infantry Division (Mechanized), Fort Carson, CO	Jul 76	Jan 78
Commandant, Training Command, 4th Infantry Division (Mechanized), Fort Carson, CO	Jan 78	May 78

Assignment	From	To
Student, United States Army War College, Carlisle Barracks, PA	Aug 78	Jun 79
Deputy Commander, later Special Assistant to the Commander, V Corps Artillery, United States Army Europe.	Jul 79	May 80
Commander, Division Artillery, 8th Infantry Division (Mechanized), United States Army Europe ..	May 80	Oct 82
Chief of Staff, 8th Infantry Division (Mechanized) United States Army Europe	Oct 82	Oct 83
Deputy Assistant Commandant, United States Army Field Artillery School, Fort Sill, OK	Oct 83	Jan 84
Commanding General, 3d Corps Artillery, Fort Sill, OK	Feb 84	Dec 86
Chief of Staff, United States Army Element, Combined Field Army, Republic of Korea	Jun 86	Dec 86
Assistant Chief of Staff, C3/J3, Republic of Korea/United States Combined Forces Command	Dec 86	Jun 88
Commanding General, 4th Infantry Division (Mechanized) and Fort Carson, Fort Carson, CO	Jun 88	May 90
Deputy Chief of Staff for Operations and Plans, United States Army/Army Senior Member, Military Staff Committee, United Nations, Washington, DC.	May 90	Jun 91
Vice Chief of Staff, Office of the Chief of Staff, United States Army, Washington, DC	Jun 91	Mar 93

Dates of appointment:

	Promotions	Temporary	Permanent
2LT			6 Jun 62
1LT		6 Dec 63	6 Jun 65
CPT		5 Nov 65	6 Jun 69
MAJ		27 Sep 68	6 Jun 76
LTC		1 Jun 75	
COL		1 Aug 79	15 Mar 82
BG			1 Sep 84
MG			1 Sep 87
LTG		1 Jul 90	
GEN		21 Jun 91	

U.S. decorations and badges:

Defense Distinguished Service Medal.
 Distinguished Service Medal (with Oak Leaf Cluster).
 Legion of Merit (with Oak Leaf Cluster).
 Distinguished Flying Cross.
 Bronze Star Medal with "V" Device (with 5 Oak Leaf Clusters).
 Purple Heart.
 Meritorious Service Medal.
 Air Medals.
 Joint Service Commendation Medal.
 Combat Infantryman Badge.
 Parachutist Badge.
 Aircraft Crewman Badge.
 Ranger Tab.
 Office of the Secretary of Defense Identification Badge.
 Joint Chiefs of Staff Identification Badge.
 Army Staff Identification Badge.

Source of commission: USMA.

Summary of joint assignments:

Assignment	Dates	Grade
Aide-de-Camp to the Commandant, Armed Forces Staff College, Norfolk, VA.	Sep 67 to Sep 68	Major
Chief of Staff, Combined Field Army, Republic of Korea; later Assistant Chief of Staff, C3/J3, Republic of Korea/United States Combined Forces Command.	Jun 86 to Jun 88	Brig. Gen./Maj. Gen.

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee.

The form executed by Gen. Dennis J. Reimer, USA, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

Dennis J. Reimer.

2. Position to which nominated:

Chief of Staff, U.S. Army, Washington, DC.

3. Date of nomination:

April 7, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

July 12, 1939; Enid, OK (native of Medford, OK).

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Mary Jo.

7. Names and ages of children:

Michael, 26; and Ann Marie, 23.

8. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

As Commanding General, Forces Command, I serve as a nonvoting, ex officio advisor to the State of Georgia Military Affairs Coordinating Committee. If confirmed, I will cease serving as an advisor to GMACC upon termination of my current assignment.

9. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

As Commanding General, Forces Command, I serve as a nonvoting advisor/Army liaison to: Atlanta Rotary International Service Committee; Board of Directors, Atlanta Chamber of Commerce; Executive Board, Boy Scouts of America-Atlanta; Executive Committee, USO Council of Georgia. I am a member of the West Point Society and the Association of the United States Army (AUSA). If confirmed, I will cease serving in these positions (other than my personal membership in the West Point Society and AUSA) upon termination of my current assignment.

11. **Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

DENNIS J. REIMER.

General, U.S. Army.

This 6th day of April, 1995.

[The nomination of Gen. Dennis J. Reimer, USA was reported to the Senate by Senator Strom Thurmond on May 19, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 23, 1995.]

[Prepared questions submitted to Lt. Gen. Charles C. Krulak, USMC, by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

UNITED STATES MARINE CORPS,
COMMANDANT, MARINE FORCES PACIFIC,
April 28, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of April 25, 1995 regarding my nomination to serve as the 31st Commandant of the Marine Corps. I am deeply honored to have been nominated by the President. I take very seriously his charge to me "to continue General Mundy's superb efforts in ensuring that the Marine Corps remains fully ready and able in carrying out its important responsibilities under our national security strategy."

As the committee requested, my responses to questions on a number of defense policy and management issues are provided for your consideration.

Sincerely,

C. C. KRULAK, *Lieutenant General,*
U.S. Marine Corps.

Attachment.

QUESTIONS AND RESPONSES

Question. Are you fully committed to the complete and effective implementation of the Goldwater-Nichols Act, the special operations and low intensity conflict reforms, and related legislation?

Answer. Yes. If confirmed, I will continue to underscore the importance of these initiatives and will continue to be a strong supporter of the value and necessity of inculcating the joint concept within our doctrinal framework.

Question. What is your view of the extent to which these defense reforms have been implemented thus far?

Answer. Great strides have been made in implementing these defense reforms. The Joint Staff is increasing its capability to assist the Secretary of Defense in integrating service efforts in POM development, acquisition initiatives, and reducing redundancy in training and education programs. All services have strengthened their ability to conduct joint and combined operations.

Question. Do you have any plans for further action to ensure fuller implementation of these defense reforms in the Marine Corps?

Answer. Yes. I have been fortunate to have been involved in a number of initiatives within the Marine Corps that have reinforced these reforms. Among these initiatives are a comprehensive study of componentcy and the role of the component and JTF Headquarters in supporting the missions and tasks assigned by the combatant commanders which led to a better understanding within the Marine Corps of how Marine forces support joint and combined operations; establishment of the Marine Air-Ground Task Force (MAGTF) Staff Training Program (MSTF) as the vehicle through which component and JTF Headquarters are trained, and the establishment of close ties with the U.S. Army Training and Doctrine Command.

If confirmed as Commandant of the Marine Corps I will continue to support the combatant commanders by ensuring a continual supply of quality marines in the joint arena. I fully support Marine Corps participation in Joint PME and placement of the Marine Corps "best and brightest" in joint assignments. I also will continue to press for interoperability among all service systems. Interoperability will make it easier to respond to crisis situations and successfully execute such missions. Additionally, I support the Secretary of the Navy's desire to relocate Headquarters Marine Corps to the Pentagon in the near future which will facilitate even closer working relationships with our sister services, the Joint and the OSD staffs thereby furthering the goals of defense reform.

Question. From the perspective you have gained in your previous assignments, particularly as Commanding General, Fleet Marine Forces Pacific, do you believe that the authority and responsibility of the combatant commanders is appropriate?

Answer. Yes. I believe the current law grants the combatant commander appropriate authority.

Question. Section 162(b) of Title 10, United States Code, provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the combatant commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commandant of the Marine Corps to the following offices:

Under Secretary of Defense

The Assistant Secretaries of Defense

The Chairman of the Joint Chiefs of Staff

The Vice Chairman of the Joint Chiefs of Staff

The Assistant to the Chairman of the Joint Chiefs of Staff

The Director of the Joint Staff

The Secretary of the Navy

The Chiefs of Staff of the other services

The combatant commanders

Answer. It is my understanding that the law requires that the Secretary of each military department, and the civilian employees and members of the Armed Forces under their jurisdiction shall cooperate fully with personnel of the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction and control of the Secretary of Defense. If confirmed, in addition to the cooperation required by law, I would work closely with the Deputy Secretary, the Under Secretaries and Assistant Secretaries of Defense in a dialogue designed to ensure the working relationship between the Marine Corps and these key Defense officials are efficient and effective.

The Chairman of the Joint Chiefs of Staff is the principal military advisor to the President, the NSC and the Secretary of Defense. The Joint Chiefs also serve as military advisors to the President, the Secretary of Defense and the NSC. If con-

firmed, I will work closely with the Chairman and the service Chiefs to help craft the military capabilities needed to support the National Military Strategy. Additionally, I will ensure that appropriate members of my staff interface with the Vice Chairman of the Joint Chiefs of Staff, the Assistant to the Chairman of the Joint Chiefs of Staff and the Director of the Joint Staff.

The Commandant is responsible to the Secretary of the Navy for, among other functions, recruiting, organizing, supplying, administering and maintaining the Marine Corps. If confirmed, I am committed to working closely with the Secretary of the Navy and to ensuring that my staff interfaces with the Secretariat staff as we set the course, in conjunction with the Chief of Naval Operations, for the naval services.

The Combatant Commanders perform missions assigned by the President or Secretary of Defense. If confirmed, I will work closely with the combatant commanders to ensure that the Marine Forces provided for them to employ are the best trained and equipped and most ready possible.

Question. What do you understand the role of the Marine Corps Commandant to be under the Goldwater-Nichols Act relative to the Secretary of Defense, the Secretary of the Navy, the Chairman of the Joint Chiefs of Staff, the other members of the Joint Chiefs, and the combatant commanders?

Answer. The Goldwater-Nichols Act clearly sets forth the roles of the various positions mentioned above. Section 113(b) of Title 10 provides that the "The Secretary [of Defense] is the principal assistant of the President in all matters relating to the Department of Defense . . . he has authority, direction and control over the Department of Defense." This provision ensures that the Secretary has full power over every facet of the Department of Defense. In accordance with section 5013 of Title 10, the Secretary of the Navy, subject to the authority, direction, and control of the Secretary of Defense and subject to the provisions of chapter 6 of Title 10, is responsible for, and has the authority to conduct, all affairs of the Department of the Navy. The Commandant performs his duties under the authority, direction, and control of the Secretary of the Navy and is directly responsible to the Secretary of the Navy. The specific duties of the Commandant, and of the Headquarters, Marine Corps for which the Commandant presides over, are delineated in sections 5042 and 5043 of Title 10.

The Commandant shall also perform the duties prescribed for him as a member of the Joint Chiefs Staff under section 151 of Title 10. The Chairman is the principal military adviser to the President, the National Security Council and the Secretary of Defense. The Commandant, along with the other members of the Joint Chiefs of Staff are military advisers to the President, the NSC and the Secretary of Defense. With regard to the combatant commanders, I believe that the service Chiefs, within their responsibility to organize, train and equip their respective services, are "force providers" while the combatant commanders are the "force employers." While the combatant commanders establish their respective force or capability requirements, it is the Joint Chiefs, with their service unique insights into the capabilities, readiness and competing demands for their respective forces that are in the best position to provide the necessary capabilities to the combatant commanders.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Commandant of the Marine Corps?

Answer. In my view, the next Commandant will face three major challenges:

(1) Ensuring an adequately resourced Marine Corps, organized, trained, and equipped as the Nation's force in readiness to meet peacetime presence and warfighting requirements.

(2) Modernizing the force to meet the threats of the 21st Century.

(3) Improving the quality of life for our marines and their families.

Question. If confirmed, what plans do you have for addressing these challenges?

Answer. First, we must ensure that we have clearly identified the capabilities required to fulfill the Marine Corps' role in the National Military Strategy. Second, we must accurately identify future resource requirements necessary to achieve those capabilities. Critical to this evaluation is the determination of the resources needed to maintain readiness, modernization, and quality of life. Third, the Marine Corps must effectively use these limited resources to meet the highest priority requirements.

To accomplish these formidable tasks, we must participate fully in emerging new and innovated methods through which requirements are assessed within the Department of the Navy and on the Joint Staff. A current example of this participation is the development and use of the Combat Development Process (CDP). The CDP,

among other things, determines requirements for new equipment and drives our acquisition process. Started by General Gray, the CDP matured under General Mundy, and will be expanded in the coming years to reach its full potential.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the performance of the functions of the Commandant of the Marine Corps?

Answer. In my opinion, the most serious problem facing the Commandant of the Marine Corps is ensuring that the Marine Corps remains ready to fight and win. This is particularly difficult during periods of fiscal austerity. By far the most serious and complex element of this problem is the adequate resourcing of the Corps.

General Mundy has charted the right course, properly focusing resources to maintain the near term readiness of the Marine Corps. Funding our military manpower and the operation and maintenance for our operating forces—including training—has been our highest funding priority. The demands placed on resources, defense-wide, have unfortunately placed him in the position of maintaining readiness at the expense of modernization and the maintenance of our infrastructure.

Marine Corps end strength must be adequate to meet the continuing requirements of the National Military Strategy. A force structure of the size directed by the Secretary of Defense in the Bottom-Up Review and approved by the President, was supported by the rigorous zero-based analysis of General Mundy's Force Structure Planning Group.

The support of the Congress in maintaining the Marine Corps at a size consistent with its role cannot be overstated.

Although the Bottom-Up Review and Defense Planning Guidance validated the Marine Corps end strength at 174,000 Active and 42,000 Reserve, the Corps has not been funded to sustain and modernize that force structure. General Mundy has testified that at the current level of funding, the Marine Corps can sustain its current readiness and capability only through fiscal year 1997. I concur with his assessment.

Question. What management actions and timelines would you establish to address these problems?

Answer. If confirmed, my significant management action will be the continued expansion and institutionalization of the Marine Corps Combat Development Process (CDP), through which military requirements are measured and prioritized against approved operational concepts. The output of this process will form a central element in the resolution of these issues. Further, the CDP will assist the Marine Corps in supporting other external initiatives. For example, programs such as the Department of the Navy's integrated assessment process, Program Review 97, and Department of Defense's Joint Warfare Capability Assessments process will help prioritize the warfighting requirements across the entire DOD. It is critical that these programs mature in time for use in the development of the Program Objective Memorandum for fiscal years 1998-2003.

Question. Section 5043 of Title 10, United States Code, requires a Commandant of the Marine Corps to have had significant experience in joint duty assignments, including at least one full tour of duty in a joint duty assignment as a general officer. Do you meet the requirements of the law or did the President have to grant a waiver in your case?

Answer. As a designated Joint Specialty officer, I meet the requirements of the law. I was awarded general officer joint duty assignment credit by the Secretary of Defense for duty as the Commanding General, Direct Support Group, I Marine Expeditionary Force during Operation Desert Shield/Desert Storm. In this capacity, I was responsible for supporting the British Army "Desert Rats" while attached to I MEF, the Army Tiger Brigade, and for coordinating all USAF aircraft in and out of Kibrit and Khanjar and the evacuation of Army and British forces through the Port of Al Jubayl. Following the departure of Lieutenant General Boomer, I became COMMARFORCENT, reporting to first, General Schwartzkopf and then, Lieutenant General Pagonis. Other joint assignments have included assignment as the Executive Assistant to the Assistant Secretary of Defense for C4I2 and as the Deputy Director, White House Military Office.

Question. What background and experience do you have that you believe qualifies you for this position?

Answer. In addition to the specific duties and responsibilities outlined in the previous question, in my current assignment as Commander, Marine Forces Pacific I serve as the Marine component Commander for three of our warfighting Commanders in Chief: U.S. Pacific Command, U.S. Central Command, and U.S. Forces Korea. Fully 90 percent of my time is directly involved with the joint and combined com-

mand and staff responsibilities of these combatant commanders, the integration of Marine forces with the forces of the other services (and countries) in their operation and contingency plans, and the provision of forces a capability to them in execution of missions assigned by the national command authority.

ROLES AND MISSIONS

Question. In your former job as the Commanding General, Marine Corps Combat Development Command, you were involved in the Marine Corps participation in the roles and missions reviews. Do you believe that efficiencies and better integration of the Armed Forces can result from this review (roles and missions)?

Answer. Yes. I would be surprised if the report submitted by the Commission on the Roles and Missions did not contain recommendations which would provide for both increased efficiency and better integration of the Armed Forces.

Question. What is your view of the current controversy over shifting some responsibilities as proposed by former Air Force Chief of Staff McPeak? For example, do you agree that the close air support mission should be shifted to helicopter forces in the Army and Marine Corps?

Answer. Dialogue and debate among the military services is healthy; competition is healthy. All of this is familiar terrain to marines. The Marine Corps has never shied away from reviews of roles and missions. General McPeak's ideas have sparked the dialogue surrounding the roles and missions review and, while I do not support all of his concepts, I applaud his willingness to become engaged in the process. As this committee is well aware, the Marine Corps developed the tactics and techniques of close air support (CAS). We understand the fire support requirements of our ground forces and the crucial contribution of CAS delivered by capable fixed wing aircraft. While attack helicopters have the capability to complement fixed wing CAS, in my opinion, they cannot replace it.

Question. What do you consider to be the core and/or unique competencies of the U.S.' Marine Corps, Active and Reserve, in fulfillment of your vision of the total force Marine Corps of the future?

Answer. The Marine Corps is a total force. Our Active and Reserve components are inextricably linked. We will train, equip and fight as a team—all of the time. Our core competencies are centered in expeditionary, combined-arms-warfare and in executing sustainable, forcible entry, from the sea. The Nation's force-in-readiness is naval in character, operating overseas, in remote areas. Versatility and adaptability are our hallmarks; we are capable of operating over the entire spectrum of conflict, from operations other than war to sustained land combat. A truly "joint" force, the Marine Corps can operate with all of its sister services, integrated into Joint Task Forces.

However, our primary core competency is the individual marine. We are marines, and when the Nation calls, it gets what it expects—marines. Marines are different. We adhere to a higher standard—an ethos, if you will—that enables us to *fight and win*. This ethos is instilled in marines from the beginning, for both officer and enlisted, Regular and Reserve. All our marines become basic *riflemen* first. Our recruit training regiments and officer candidate school provide the "common denominators" which make us distinct from any other fighting organization in the world.

REASONS FOR A MARINE CORPS

Question. In the widely acclaimed book *First To Fight*, Lt. Gen. Victor H. Krulak, USMC (Ret.), indicated that the book has its beginnings with a letter he received from the Marine Corps Commandant Randolph McC. Pate. The letter, dated October 30, 1957, read as follows: "Dear Brute: Why does the U.S. need a Marine Corps? When convenient, would you jot down some answers to the above question?" You provided the Committee with your view of how you would answer this same question in 1992, in conjunction with your assignment to the Marine Corps Combat Development Command.

In view of the work of the Commission on Roles and Missions, please provide the committee with your views of how you would answer the question today.

Answer. I have reviewed the response I provided to the Senate Armed Service Committee in 1992 to this question. It was pretty good. I remain impressed with the wisdom of the 82nd Congress, whose language accompanying an amended National Security Act prescribed the strategic concept for the Marine Corps. It read:

"the purpose of the proposed legislation, as amended by the committee, is . . . to require the maintenance of a versatile force-in-readiness, always combat ready fast-moving and hard-hitting . . . a force to prevent the growth of potentially large conflagrations by prompt and vigorous action during their incipient stage. Such a ready force, highly mobile, always at a high state of readiness can be

in position to hold a full-scale aggression at bay while the American Nation mobilizes its vast defense machinery."

The utility of this Role, properly assigned to the U.S. Marine Corps by the U.S. Congress, has served us well in the years since it was written and is no less vital a role today. I am confident that the Commission's discussion will bear this out.

NAVY-DEPARTMENT CAPABILITIES

Question. Some observers have concluded, based upon the conduct of Operation Desert Storm and the January 1992 National Military Strategy, that naval forces may be relatively less important in our future security posture.

How would you describe the capabilities that Navy-Marine Corps forces bring to the warfighting commanders in chief, particularly those that may be unique?

Answer. We must be careful to learn the *right* lessons from Operation Desert Storm. I was intimately involved with the development and analysis of those lessons and they are important. However, Desert Storm was fought in a unique battlespace that we had not seen since the early stages of World War II, almost 50 years before. It is entirely possible that the United States will not fight in a similar battlespace for another 50 years or more. We should not count on this scenario being the template for future operations.

My father's insightful answer concerning where our country will fight next is directly to this point: he responded that if history is our lesson, our next fight will be where we don't expect it, someplace where we don't have a contingency plan where we don't have forces prepositioned. This makes the need for naval forces even more critical.

Naval forces are expeditionary, forward operating in the turbulent littorals of the world—every day. Naval forces have the unique ability to convey a visible sense of influence and commitment unencumbered by the necessity to seek permission from other sovereign nations. Naval forces, bringing credible, sustainable, flexible, military power to a crisis, have the unique ability to influence and contain instability without placing a single American fighting man or woman in harms way. This is the physical reality of carrier battle groups and amphibious ready groups with embarked Marine squadrons and Expeditionary units operating forward . . . from the sea. And when required, naval forces provide this Nation's only sustainable forcible entry capability.

Question. What do you see as the principal role for the U.S. Marine Corps, both in terms of our overall national security and as a partner in the Navy/Marine Corps team?

Answer. With the Korean War experience fresh in its mind in 1952, Congress declared its intent that the Marine Corps remain a "versatile, expeditionary force in readiness," prepared "to suppress or contain international disturbances short of war", to be the "most ready when the Nation is least ready". It is my belief that this remains the principal role for the Marine Corps. Marines specialize in forward presence and crisis response, fulfilling the role prescribed by the 82nd Congress, independent of any one specific threat to our national interests. The changes we are experiencing with the end of the Cold War have made that unique role of the Corps even more important today and for the foreseeable future. The absence of a credible threat and fiscal constraints will continue to force reductions in military budgets and contribute to the withdrawal from overseas bases. At the same time, the other services are facing difficult readjustments as they refocus themselves from the Soviet threat toward the less well-defined challenges of a chaotic new world order. During this difficult period the Corps stands ready to deal with crisis situations as it has throughout history. With our expeditionary, combined arms, total-force package, we remain ready, relevant and capable in an unstable era.

Question. What roles should the Marine Corps play in contingency, humanitarian and peace operations?

Answer. The Marine Corps can accomplish any of these missions as they arise, but must never lose sight of our primary *raison d'être*: projection of U.S. power and influence from the sea to foreign shores. In support of the *National Security Strategy*, the Marine Corps regularly deploys combat ready forces to deter conflict, manage instability and demonstrate national commitment to protect our vital interests. The primary function of forward operating Marine forces is to provide flexible, mobile, sovereign combat power, responsive to national needs in time of crisis. They are capable of forcible entry, as enablers for the introduction of additional forces from CONUS, or as a global reservoir of capabilities and experience. They are fully able to contribute to humanitarian relief and other peace operations, but their primary purpose must be to fight to win.

Forward operating forces provide a wide range of capabilities that are applicable across the full range of potential missions. The same capabilities that enable us to be successful in combat—highly trained and well-disciplined marines—have always prepared marines for contingency, humanitarian and peace operations.

ARMY-MARINE CORPS CAPABILITIES

Question. The assertion has been made that the Army and the Marines are competing for the same declining mission area—the contingency forces role—and that each is pursuing capabilities that the other services already possesses. What is your view of this?

Answer. More than four decades ago, one of the roles Congress gave the Marine Corps was to be prepared “to suppress or contain international disturbances short of war,” and we have steadfastly focused on it ever since. We have developed a carefully balanced force akin to a middleweight fighter: agile, flexible but still capable of packing a strong punch. We have avoided duplication of the Army’s role and structure. We are not pursuing the procurement of heavy assets such as the Multiple Launch Rocket System or theater logistics needed for sustained land combat. In fact, the Marine Corps and the Army have worked closely together to develop procedures which will ensure we are complementary.

Question. What is your vision for the Marine Corps of the future? What foundations will you lay to facilitate the attainment of that vision?

Answer. This question is a critical one—the answer to which is, of necessity, personal. It is provided, not with the presumption of confirmation, but as a result of 31 years of service to the Corps and of thinking of what the Marine Corps has been and might be in the future.

The future world will be characterized by crisis and conflict. It will place heavy demands on its military services, demands that will require deep reservoirs of military skill, intellect and innovation. The uncertain horizon creates an even more pressing imperative for a military force that can act decisively in the face of such uncertainty—a force that anticipates change and adapts to new reality quickly and surely. The Marine Corps has always been that versatile force—and we will continue to be that force.

We will be well prepared to handle a variety of missions, and trained and equipped to defeat any enemy. The Marine Corps will be recognized, not just in the United States, but globally, as the premier crisis response force—ever ready to project the power and influence of the United States from the sea to any foreign shore. Here, crisis is defined as ranging from a military attack against our Nation or its interests, to acts of political violence against Americans abroad, to civil unrest or to natural disaster. In these areas, the Marine Corps will be first on the scene, first to fight, first to quell disturbances, and first to help. The Marine Corps will be our Nation’s force of choice—a certain force for an uncertain world. No matter what the crisis or the threat, the Nation will have one thought: “Send in the Marines”.

Forward-operating in fully capable combined-arms teams, the Marine Corps will be America’s legion—on the scene, ever ready to protect the Nation’s interest. We will remain fundamentally a naval expeditionary force, as comfortable on the seas as on the land and in the air. With the Navy, we will be able to go anywhere rapidly and project force across any shore against any foe, sustaining ourselves from sea or land bases in the absence of pre-existing infrastructure. We will be a learning organization—able to anticipate and adapt quickly to any change. We will be self-critical, quick to identify shortcomings and relentless in our efforts to improve. We will continue to be a force rich in history and traditions, imbued with the highest values of courage, honor and commitment. We will be a Total Force, Active and Reserve, able to effectively integrate a full range of capabilities—ours as well as those of other services, agencies and nations—into a unified and focused instrument of national power. We will continuously exploit the latest technologies, concepts and methods to enhance the operational effectiveness of our forces. And, as we have always been, we will be an economical force—able to get more out of less.

The foundation upon which we will build this superb armed force is the world’s finest military professional—a disciplined, motivated, dedicated warrior—a smarter, stronger marine, imbued with the values that have served us well throughout our history, and infused with the agility of mind and body that will be required in future conflict. We will begin with the recruitment of the right men and women to be marines and to carry on our proud tradition. This initial step will be accomplished by a team of recruiters that has my full support and who will be rewarded for their critical contribution to the Corps. All marines, enlisted and commissioned, junior and senior, will be educated to act intelligently and independently, trained

to seek responsibility and to be accountable, and expected to act with boldness and individual initiative. This training and education will be continuous. It will not take place only during formal periods of instruction or during training exercises—it will be part of the fabric of our every day existence. We will be a learning organization that creates individuals who can not only adapt to changing situations but who can anticipate those changes. Modeling, simulation, interactive virtual reality exercises, etc., will all help in this effort. We must then outfit these marines with the finest weapons and equipment. We should never send them into harm's way without the best technology can bring to the battlefield. Our marines will be infused with a moral presence, courage and ethical values that will dominate any location or operational area with a confident certainty that the Marine Corps is a force for good. Finally, we will ensure that these marines and their families will have a quality of life befitting their contribution to the security of the Nation.

The Marine Corps of the future will give this Nation an unbeatable force, composed of highly capable individuals, bound by the unbreakable bond of our unique esprit, with a singular focus—to serve the Nation as its force of choice.

Question. Is there unnecessary redundancy between Army and Marine Corps ground combat forces? Between Army light divisions and Marine Corps divisions?

Answer. I am not sure that this is a valid comparison. Army and Marine Corps Divisions are alike in name only. The Marine division is not a separate entity, but rather it is an integral part of a Marine Air Ground Task Force which includes aviation and combat service support capability. This balanced combined arms package routinely trains and deploys together, forming a synergistic whole that is more powerful than the simple sum of infantry, armor and artillery resident in the Marine Division.

The Army and Marine Corps together field a range of ground combat forces that provide the Nation with unique capabilities—capabilities that the Nation needs.

POTENTIAL OPERATING SAVINGS

Question. In this time of tight budgets, the services must review ways to operate more efficiently and effectively in peacetime. You have previously suggested several initiatives, including investigating combining Active and Reserve engineer support battalion units in training evolutions to construct or refurbish range facilities for Fleet Marine Forces. Before assuming command of Marine Corps Combat Development Command, you also indicated that the Marine Corps needed to make greater use of modeling and simulation to catch up to your Army counterparts in achieving better training at less cost.

Could you describe what progress you have made in implementing these initiatives, either as Commanding General, Marine Corps Combat Development Command, or your current assignment as Commanding General, Fleet Marine Forces, Pacific?

Answer. First, as the Commanding General, Marine Corps Combat Development Command, I published a plan to enhance our training capabilities and save valuable resources previously expended to travel to other service installations to conduct required unit-level training. As Commanding General, Marine Forces Pacific, I authorized the Commanders of our bases and stations to use organic engineer assets to improve their local ranges; both Active and Reserve engineer units routinely provide support for range facilities refurbishment. The level of activity varies from base to base, and is dependent upon a variety of factors; e.g., operational/exercise tempo and availability of funding. As an example, Marine Corps Air Ground Combat Center, Twentynine Palms, California, relies heavily on organic engineer support to reconstruct firing positions, bunker complexes and target emplacements.

We must focus our efforts in modeling and simulation (M&S) and exploit M&S technologies in the areas of individual combatant training and operational support. In May 1993, with General Mundy's full support, I established a central management office for M&S to coordinate and integrate the separate M&S efforts within the Corps, and to present a single, unified Marine voice throughout DOD and other involved agencies. By January 1994, the office was fully manned and functioning, and had published a visionary master plan for M&S within the Marine Corps. That plan, approved by General Mundy in July 1994, continues to serve as our guide as we pursue various M&S technologies.

Question. Please describe the progress you were able to achieve in making greater use of modeling and simulation to improve the quality and efficiency of Marine Corps training.

Answer. We are replacing our old and resource-intensive Tactical Warfare Simulation Evaluation and Analysis System (TWSEAS) with the emerging Marine Air Ground Task Force (MAGTF) Tactical Warfare Simulation (MTWS), which will

serve as the centerpiece of our MAGTF Staff Training Program. That system will be introduced into the Marine forces in the very near future.

Our emphasis on the individual marine has been reaffirmed in the purchase of an Indoor Simulation Marksmanship Trainer (ISMT); this program, too, is on track and will result in substantially improved individual and crew served weapons training as well as offsetting some of our training ammunition requirements. The central technology we will employ in developing our urban area combat simulator is called Team Tactical Engagement Simulator (TTES).

Since August 1994, the M&S Management Office at MCCDC has initiated three projects and demonstrations which have immediate relevance to our warfighting requirements, specifically in the areas of individual marine instrumentation, mission planning and rehearsal on short notification, and joint assessment modeling. Their budget has more than doubled in the past year, representing the fastest growing staff and planning function in the Marine Corps. Moreover, as a direct result of our standup of the Marine Corps M&S Management Office, we are now active participants within DOD as M&S initiatives and policies are formulated.

During my command of the Fleet Marine Forces, Pacific and at the Marine Corps Combat Development Command, I have asserted that M&S technologies, as parts of the greater information technologies revolution, present two challenges. The first is the obvious opportunity to increase our combat readiness by using M&S to enhance proficiency and increase efficiency. The second is to unfetter our thinking, to exploit the unprecedented freedoms which the virtual world allows, and to model ideas that may seem too "far-out" at first glance, as was the idea of vertical envelopment in 1946, or the idea of amphibious assault in 1932, or the idea of close air support in 1915. I am committed to meeting these M&S challenges.

AMPHIBIOUS LIFT

Question. The current Navy budget plans indicate that the Navy intends to build only six amphibious ships over the next 6 years. One planned ship is a Wasp-class ship (LHD-1), and the other five are a new class of ships called LPD-17, yet to be designed or constructed.

Are you convinced that these ships will be contained in the actual budget request, and, if so, in your personal opinion, will this approach be sufficient to maintain enough amphibious shipping to meet a 2.5 MEB lift?

Answer. The Marine Corps and the Navy have been working closely on the issue of amphibious modernization. However, the current procurement profile will not achieve the fiscally constrained goal of 2.5 MEB equivalents of lift with active ships until fiscal year 2009. Admiral Boorda has developed a plan—the Amphibious Lift Enhancement Plan (ALEP)—which will mitigate the deficiency during this 15 year period by providing Reserve/MSC assets to cover this deficiency. Any further slippage in the overall amphibious program would extend an already lengthy modernization period and result in increased competition with other outyear modernization requirements.

Question. Is the Navy's planned acquisition adequate to maintain lift capability in view of the multiple retirements that will be required shortly after the year 2000?

Answer. The documented amphibious lift requirement is 3.0 MEB equivalents. The Navy acquisition strategy is fiscally constrained to the procurement of 2.5 MEB lift. Today's Active Fleet, combined with the Reserve/MSC ships that comprise the Amphibious Lift Enhancement Plan (ALEP) will lift 2.5 MEB equivalents. As the planned LHD-7 and 12 LPD-17 class ships are delivered, aging Active ships—as well as associated ALEP ships—will be decommissioned. This modernization effort will not be achieved until fiscal year 2009. Any delay in this plan exacerbates the risk already assumed by the inclusion of Reserve/MSC shipping to cover the existing shortfall in Active amphibious lift.

Question. What will you do as Commandant to provide published doctrine and training for the Marine Corps to be able to function within Joint Task Forces and marines to function as Joint Task Force commanders?

Answer. Virtually all future combat operations will be under joint and/or combined task force command and control. The Marine Corps is, and will remain, committed to providing Joint Force Commanders with Marine Air Ground Task Forces (MAGTFs) that are ready, relevant, and fully capable of operating effectively as a part of a joint or combined team. We will continue to provide the Combatant CINCs with general officers who have the experience, professional knowledge and training to command Joint Task Forces as well as marines that can form the nucleus of Joint Task Force staffs.

Two significant keys to successful joint/combined operations are doctrine and training. Recognizing both while I was Commanding General of the Marine Corps

Combat Development Command, I worked to ensure that the Marine Corps was actively involved in the development of joint doctrine and that our service doctrine supported joint/combined operations. Since Desert Shield and Desert Storm, the Marine Corps has continued to stress joint training. Our forces regularly participate in CINC and JTF joint training initiatives. Also, our MAGTF Staff Training Program focuses on providing Marine Expeditionary Force (MEF) headquarters training that complements current Combatant Commanders' joint training initiatives.

While doctrine and training are helping us to make some significant strides toward joint interoperability in the near term, I believe the long term solution lies in the education of our leaders. The venue for carrying out this long term shaping effort is our Marine Corps University at Quantico. Our University has totally incorporated JPME requirements into all applicable course curricula. Further, as part of the MAGTF Staff Training Program initiative, a feedback loop exists where lessons learned, as a result of joint or combined MEF level training, are carried back to the schoolhouse and incorporated into our academic curricula. This ensures that officers returning to our warfighting organizations have been inculcated and armed with the most current and relevant joint doctrine and education.

If confirmed as Commandant, I will continue to emphasize the importance of joint/combined doctrine and training, and I will aggressively work to enhance both.

LITTORAL WARFARE PRIORITIES

Question. Within tight fiscal resources, we all understand that the Department of the Navy must make difficult decisions on allocation priorities. The Department apparently made some fundamental choices while developing the current program presented in the fiscal year 1996 budget request. In particular, General Mundy is reported to have expressed concerns that the acquisition programs for V-22 and the advanced amphibious assault vehicle (AAAV) were under funded and should be accelerated. The Navy apparently responded by offering to divert funds from programs for: (1) improving naval surface fire support, and (2) fielding the LPD-17 class of amphibious ships. Proponents of maintaining a credible forcible entry capability have argued that the modernization programs supporting this mission should be balanced. Having good capability on one area (vertical lift) without other essential capability (fire support during critical transition phases) could yield a force that is neither balanced nor a credible tool for the warfighting commanders in chief.

Why should we consider this trade-off such a good deal for the country?

Answer. Trade-offs in an era of constrained resources are always difficult. Since the end of the Cold War, the Department of the Navy has shifted its operational focus to emphasize warfare along the world's littorals. Both ". . . From The Sea" and "Forward . . . From The Sea" provide the new conceptual framework for allocating Department of the Navy resources.

Our forcible entry forces are operating with aging equipment and shipping. We must modernize if we are to provide ready, balanced and credible combat forces to our warfighting CINCs in the years ahead. I strongly believe that the expeditious modernization of our forcible entry and littoral warfare forces is in the national interest, and if confirmed, I will work closely with the Chief of Naval Operations and the Secretary of the Navy to ensure that these areas receive high priority.

Question. How will you ensure a balanced program in the future?

Answer. The achievement of a balanced program within constrained resources will be difficult. We cannot fully modernize across all capability areas simultaneously, but must make tradeoffs to pace modernization and prevent imbalances. Within present resources, we have worked closely with the Navy to develop a modernization strategy that includes both the MV-22 and the AAAV, while providing improvements to mine warfare, naval surface fire support and amphibious lift. This does not mean fielding of these essential systems could not, or should not, be accelerated.

If confirmed, I will work hard with the Secretary of the Navy and the Chief of Naval Operations to ensure a balanced program that supports the requirement for forward presence and forcible entry in the future.

General Mundy has stated that additional resources—about \$1 billion per year—are needed to balance the Marine Corps program at the force level prescribed by Congress, the President and the Department of Defense. I concur.

TACTICAL AVIATION INTEGRATION

Question. The integration of some Marine Corps tactical fighter squadrons into the Navy's aircraft carrier wings is a way of accommodating the draw down in Navy tactical fighter force structure while supporting aircraft carrier deployment goals. What do you intend to do to ensure that these squadrons' capability for tactical air support of ground forces so deployed does not degrade?

Answer. Marine squadrons training to deploy with carrier air wings continue to concurrently train to the combat readiness standard prescribed in the Marine Corps Training and Readiness Instructions. Marine and Navy squadrons train together during work-ups and deployment to a wide range of missions, including support of ground forces. This training is a key element in the naval strategy expressed in "Forward . . . From the Sea." In addition, Marine squadrons participate in Marine-specific training such as Weapons and Tactics Instructor courses and Combined Arms Exercises during the periods between cruises.

Question. What should be done to ensure that Navy tactical air squadrons are ready to support ground forces, when the Marine Corps squadrons that would otherwise provide this support have been diverted to fill aircraft carrier deployments?

Answer. Training in MAGTF operations is necessary to maximize the capability of Navy units to support Marines. To achieve this, Navy tactical air squadrons now routinely participate in Combined Arms Exercises at the Marine Corps Air-Ground Combat Training Center, Twentynine Palms, CA.

Question. Is the deployment schedule for these Marine Corps squadrons throughout the Future Years Defense Program consistent with maintaining operating tempo goals for these and the remaining squadrons, while also maintaining support for other requirements?

Answer. The TACAIR Consolidation MOA requires Department of the Navy units to be scheduled on a 3 year basis. During the current period, we will be able to maintain our optempo goals.

Examination of fiscal year 1998 requirements has revealed the need for additional assets to meet deployment requirements. Currently the Department is evaluating alternatives to ensure deployment and optempo goals are met.

Question. If we cannot afford to support adequate modernization now, why should we maintain higher force levels today that will only be providing a hollow capability in the future?

Answer. Maintaining the Marine Corps force levels (end strength) is affordable and is essential to the National Military Strategy. As a percentage of total national resources spent on defense, the Corps remains a comparatively small investment with a very large return.

It is absolutely essential that we maintain end strength at sufficient levels to execute the National Military Strategy. In testimony before Congress since at least 1952, every Commandant has stressed the critical importance of Marine Corps end strength. I agree. Our strength must be adequate to meet the wartime and peacetime operational commitments. As a component Commander serving three of the five warfighting Unified Commanders, I can personally attest that any discussion of the loss of Marine capability brought on by reductions in end strength gives them extreme concern.

The capabilities the Marine Corps brings to the National Military Strategy, very much in demand today—a demand that is not projected to diminish in the unstable world in which we live now and in the foreseeable future—must be modernized to ensure continuing relevance and viability.

Question. Should we consider trading force structure today for more adequate levels of modernization?

Answer. No. We cannot reduce Marine Corps force structure without sacrificing capabilities which are key to the National Military Strategy. At the same time, if I am confirmed, it would be unconscionable for me to send marines onto the modern battlefield with outmoded equipment. In my opinion, this is not an "either/or" proposition. Given the relatively small amount it will cost to ensure a modernized, ready Marine Corps through the next decade, I cannot endorse trading funds theoretically released by force structure cuts for more adequate levels of modernization.

"FORWARD . . . FROM THE SEA"

Question. The most recent Navy and Marine Corps white paper, "Forward . . . From the Sea", updates and expands the strategic concept articulated in the 1992 paper ". . . From the Sea" to address specifically the unique contributions of naval expeditionary forces. Did you participate in any way in the preparation or review of this important document?

Answer. No, I did not participate in the preparation or review of either document.

Question. Do you agree with the basic thrust, primary areas of emphasis, and tasks contained in "Forward . . . From the Sea"? Are there any areas with which you disagree?

Answer. Recent events have clearly demonstrated the utility of naval force capability as contained in "Forward . . . From the Sea". I agree with the concept.

Question. How would you assess the extent to which the fiscal year 1996 budget and future year plan implements the key shifts in "Forward . . . From the Sea"? What needs greater attention?

Answer. The Department of the Navy's fiscally constrained fiscal year 1996 budget reflects support for the concepts contained in "Forward . . . From the Sea". Funding important capability shortfalls and modernization is essential to maintain long term readiness to meet future commitments.

SELECTION OF OFFICERS FOR PROMOTION

Question. The fair and impartial conduct of the promotion process is a matter of great concern to the Senate Armed Services Committee. In recent years, the committee has issued a number of reports and has developed legislation, which was enacted, addressing serious problems related to the integrity of the selection promotion process. What steps will you take to ensure that the process, including the procedures governing provision of information to selection boards and throughout the confirmation process, is conducted in a manner that ensures that the process is conducted in a fair and impartial manner?

Answer. I share your concern for upholding the integrity of the selection process. That process is, in many ways, a bell-weather with regard to the moral health of the institution. I can assure you that, if confirmed, the climate I will set for all selection boards will reflect the importance we all feel for this critical process. I am confident that the steps taken by my predecessor, in consonance with and support of initiatives and instructions promulgated by the Secretary of the Navy and the Secretary of Defense, will aide me in this effort. I want our marines to be confident in the integrity of the system and in its fairness. This is more than a goal, it is a hard requirement.

REAL PROPERTY MAINTENANCE

Question. The backlog of maintenance and repair of real property continues to increase annually, and is projected to exceed \$1 billion by fiscal year 1998. What does this trend suggest about the real property maintenance funding level?

Answer. Funding for real property maintenance is lagging behind the deterioration of our facilities. A DOD study completed for Congress in the late 1980s indicated that the minimum real property maintenance funding level should be 1.75 percent of the replacement value of our facilities. This number was based on a review of the private and public sector maintenance funding levels. Marine Corps funding available to be applied to real property maintenance has, for the past few years, been closer to 1 percent of plant replacement value than 1.75 percent.

As stated earlier, improving the quality of life for our marines and their families will be one of my major challenges if I am confirmed. The maintenance and repair of real property impacts directly on that challenge and it will receive my careful attention.

Question. The backlog of maintenance and repair of real property continues to increase annually, and is projected to exceed \$1 billion by fiscal year 1998. What is the significance of this backlog, and what should be done?

Answer. We build facilities to help us perform our mission. Our bases and stations are the aircraft carriers of the Marine Corps—the "decks" from which we launch our expeditionary forces. They are the starting point for every one of our operations. When they are in a deteriorated state, they hamper our mission and degrade our quality of life.

In addition, facilities with backlogged repairs tend to deteriorate faster than facilities in good repair. In other words, the larger the backlog the more rapid the deterioration and the larger the repair costs in the long run. Or worse, the aircraft carrier sinks.

As to what should be done, first we need to ensure that we tear down all buildings we don't need. This action is already underway. The Marine Corps actually has very few unneeded buildings, but they have been identified and we have a plan to tear them down by the year 2000.

Second, at the very minimum, we need the additional resources to fund for real property maintenance at 1.75 percent of plant value level recommended by DOD. This will ensure Marine Corps facilities will be in a ready condition to support operations and improve quality of life.

TRAINING AMMUNITION

Question. Using war reserve ammunition for training is a manageable practice so long as the ammunition is replaced. However, serious shortages have become apparent, particularly since more ammunition is being expended than is being procured.

The critical deficiency is estimated at a value greater than \$100 million. What concerns do you have about this matter?

Answer. The practice of using war reserve ammunition to satisfy training requirements is a prudent means for stock rotation, as we pursue modernization. Older assets are consumed while still useful, and newer munitions are placed in war reserve stocks as they are acquired. However, if those older stocks are not replaced as consumed, then warfighting sustainability and our ability to maintain current levels of training will eventually be affected.

I am familiar with the issues surrounding the definition of our ammunition requirements. I am aware that this process is under review by Headquarters Marine Corps. I anxiously await the results of this review.

Question. What are the implications for readiness, and how do you plan to address the deficiency?

Answer. Near term readiness is not an issue, at least through fiscal year 1996. However, the long term implications of drawing down war reserve will require further review and analysis as I discussed previously.

If confirmed, one means I would pursue to address this deficiency would be promoting accelerated procurement and fielding of simulators and simulation systems. These devices can have an immediate positive impact. While the Marine Corps has made significant progress in this area and has already committed substantial funds, there is more that can be done in investment and implementation, both in the short and long-term. Training standards and training programs already undergo continual review to assure they fully serve our needs and remain relevant. By continuing the formal integration of simulation technologies into our overall programs, we will realize significant savings in the cost (training ammunition) to train while enhancing that training.

Question. Do you believe the continued employment of combat marines in a variety of peacekeeping or similar operations can degrade combat effectiveness?

Answer. Marines are trained and equipped to fight and win across the entire spectrum of conflict. I believe that the basic training, leadership, and discipline are needed to be effective in full-scale warfare will always stand marines in good stead during peacekeeping or other operations.

The most effective training for these contingencies is training centered on the basic fundamental that every marine is a rifleman, in the development of confidence in the individual marine, the training of our small unit leaders, and in developing in our units the ability to fight and win. Experience has proven that our Nation's best peacekeepers are her best warriors—the U.S. Marines!

Question. At what point could individual marines lose their combat edge?

Answer. The precise point at which individual marines begin to lose their "edge" varies widely with circumstances. Prolonged commitment to peacekeeping operations, without the opportunity to maintain individual and unit training, will lead to the loss of marines' combat edge over time.

Question. How much time and what other resources will be required to retrain and reconstitute a Marine force which has reached this readiness level?

Answer. The time and resources needed to achieve the highest levels of unit readiness depends on the mission, unit, and time available to conduct training.

Question. According to the current budget proposal and the FYDP, no fiscal year 1995 Operation and Maintenance funds which were used for contingency operations will be reimbursed to the O&M account. How will you compensate for that funding diversion?

Answer. Because they do not budget for contingency operations, the services must be reimbursed for these operations through supplemental appropriations. In that regard, as Commander, Marine Forces Pacific, I want to express my appreciation for the assistance Congress provided in the timely passage of the Supplemental Appropriation to cover the costs, including O&M, contingency operations in fiscal year 1995. I am hopeful that Congress will continue to support us if additional supplemental funding is required in the future.

The Marine Corps does budget for forward presence. Since we maintain a robust forward presence in support of the National Military Strategy and in support of the CINCS, contingency operations funding is required only for above that budgeted for forward presence. Hence, these additional costs are relatively small. Only \$48 million of the \$2.6 billion request by DOD in the supplemental was for Marine Forces.

Question. What will be the practical effect?

Answer. When supplemental funding for contingency operations is received in a timely manner—as happened this year—there is minimal impact to readiness.

CIVILIAN PERSONNEL

Question. Many Department of Defense civilian positions are maintained as a function of workload. There has been some discussion about the wisdom of imposing ceilings on the civilian work force as a simple savings mechanism because it does not consider the amount of work which actually needs to be done. Do you believe your civilian workers should be exempted from the FTE ceiling required by statute as a savings control?

Answer. Yes. The FTE ceiling is a constraint that makes it difficult to effectively manage our civilian workforce. We should hire civilian workers on the basis of requirements—defined by workload and available funding. The FTE ceiling makes it difficult to respond to emerging requirements and to customer funded workload in our industrial positions.

MILITARY CONSTRUCTION

Question. Approximately one-third of military construction dollars for the fiscal years 1994–1997 period will be used to fund environmental projects. What is the significance of this ratio, and what are the practical effects on both military construction and environmental matters?

Answer. There is no particular significance to the ratio of environmental projects as compared to the total military construction program. The ratio fluctuates from year to year (it is over 45 percent in fiscal year 1994, but drops to less than 11 percent in fiscal year 1997) based upon changing environmental requirements and the associated need to upgrade an aging infrastructure. In years where the ratio is high, it is possible the Marine Corps would have to delay the accomplishment of other military construction projects to ensure legally mandated environmental requirements are met.

Question. Marine family housing will have an 8,600 unit shortage by the end of fiscal year 1996. How do you regard this shortage and its probable effects on retention, quality of life, and overall readiness?

Answer. This shortage is a very real concern. The majority of the deficit is contained in high cost areas of southern California (i.e., Camp Pendleton and Twentynine Palms) with other deficits located at Hawaii, and North and South Carolina. Currently, we house approximately 25 percent of those marines eligible for military family housing. We depend on the off-base community to support 75 percent of our eligible military families.

We consider Government quarters to be a Quality of Life enhancer which is integral to readiness. Although a mathematical relationship is impossible to establish, this program has a significant effect on morale. Previous studies have indicated a statistically significant correlation between reenlistment decisions and military housing. Therefore, the care with which we shelter our marines and their families translates directly to retention and readiness. Living on-base has perceived benefits, e.g., police/fire protection, closeness to medical facilities, post exchange, support facilities, and the reduced cost of living on base instead of in the local community. This is particularly important for a deploying force such as the Marine Corps. We know that inadequate housing has a detrimental effect on overall readiness.

FUNDING PRIORITIES

Question. This administration has made a clear choice to fund readiness and personnel/quality of life programs at the expense of modernization. Commanders in the field have expressed their concerns regarding the lack of sufficient funding for modernization. What is your assessment of the current level of funding for the modernization program for the Marine Corps?

Answer. When I review the Marine Corps modernization program I am very pleased to see that the two most important Marine Corps programs, the MV-22 and the Advanced Amphibious Assault Vehicle (AAAV), are funded. Production of the MV-22 begins in fiscal year 1997 to meet the Corps' most critical warfighting requirement. The AAAV's RDT&E is fully funded for planned Initial Operating Capability in fiscal year 2008 as the Marine Corps' number one ground priority. I am concerned with the pace of modernization and I am not as heartened when I consider the overall state of the Marine Corps' ground equipment modernization.

General Mundy has testified that to maintain the Corps as a viable war fighting force for tomorrow, the Marine Corps procurement account must be increased \$400 million to \$500 million per year above that currently budgeted. I agree. We are funding the minimum requirements to maintain our capability for interoperability on the modern battlefield, but the Corps is not modernizing its ground equipment and mobility assets to meet 21st Century requirements. At current funding levels

we will not be able to ensure the future readiness and capabilities of the Corps beyond fiscal year 1997. This critical funding shortfall must be resolved.

MINE WARFARE

Question. During the war in the Persian Gulf, the threat from mines was a factor in deciding not to conduct an amphibious landing. What progress has been made in our ability to clear mines and how might that influence decisions to conduct an amphibious operation in the near future?

Answer. Our ability to rapidly detect and clear both sea and landward mines is a major concern. The Navy and Marine Corps are jointly pursuing both doctrinal and equipment solutions to existing deficiencies.

We are developing a new approach to mine countermeasures in support of our capstone concept, Operational Maneuver From The Sea. Our evolving approach, as currently articulated in the draft USMC/USN Concept Paper "A Concept of Mine Countermeasures in Littoral Power Projection", is to stress mine detection and mine avoidance while concurrently developing a true "in stride breaching" capability. This approach, which is a departure from previous concepts of deliberate clearing which sacrificed both surprise and operational momentum, will exploit the inherent speed, flexibility, and mobility of the AAAV; V-22, and LCAC.

The equipment requirements to enable these evolving mine countermeasures concept are being determined through a series of joint exercises and studies, including our recently concluded MCM Wargame and ongoing participation in the Joint Countermine Advanced Concept Technology Demonstration. Our equipment priority reflects our evolving detection, avoidance and location doctrines, and has shifted from large platforms solely dedicated to deliberate breaching.

While our current capabilities to clear mines remains one of our most pressing operational challenges, we have laid the conceptual foundation for significantly enhanced capabilities for future amphibious operations. We hope to continue to improve our existing capabilities as we develop and acquire equipment solutions for these concept based requirements.

Ashore, we remain concerned about our ability to locate quickly and reliably the many different landmines on the market today. To correct deficiencies in this area, we have recently begun fielding the AN/PSS-12 hand held mine detector. In the R&D arena, we are developing Coastal Reconnaissance and Battlefield Analysis (COBRA), a multi-spectral sensor package mounted in an Unmanned Aerial Vehicle, designed to detect mines and obstacles. We are also looking at an Army program, Airborne Stand-off Minefield Detection System (ASTAMIDS). In the area of breaching/clearance, we are working jointly with the Army on the following: Stand-Off Minefield Breacher (SMB), an explosive net array designed to create a lane through a minefield with an expected fielding of fiscal year 2002; Anti-Personnel Obstacle Breaching System (APOBS), a man packed linear explosive charge designed to reduce light obstacles such as barbed wire and anti-personnel mines with a projected fielding of fiscal year 1998; and the Combat Breacher Vehicle (CBV), an armored vehicle with a plow designed to push mines out of its path with a projected fielding of fiscal year 2000-01. Additionally, the Marine Corps is developing the Magnetic Countermine System (MACS) designed to project a vehicle's magnetic signature to counter magnetic influence fused mines with a projected fielding of fiscal year 1998.

SHIP-TO-SHORE FIRE SUPPORT

Question. Since the war in the Persian Gulf, the Navy has retired the last two remaining battleships, virtually eliminating the Navy's ability to provide ship-to-shore fire support for an amphibious assault. How would this lack of fire support affect the marines' capability to conduct an amphibious operation?

Answer. Since the retirement of the last two remaining battleships, NSFS is limited to existing 5-inch guns, which lack the range, accuracy, and lethality to adequately support our OMFTS based requirement. Until the ongoing initiatives in NSFS come to fruition, the burden for supporting the initial phase of amphibious operations will rest with naval aviation.

Question. Would this be a matter of high priority for you?

Answer. Yes, The Navy and Marine Corps have been working together to address this issue. A Naval Surface Fire Support (NSFS) Working Group, consisting of members from the Headquarters Marine Corps staff, the Navy staff, Marine Corps Combat Development Command, Naval Sea Systems Command and Naval Surface Weapons Center, Dahlgren has reviewed the requirement for NSFS. The Working Group was subsequently tasked by the Chief of Naval Operations (CNO) to recommend the best alternative for meeting the Marine Corps requirements.

In January 1995, the Navy staff briefed the CNO on the Marine Corps requirement and the recommended solution. The CNO accepted the requirement and approved the recommendation to upgrade existing 5-inch/54 caliber guns by significantly increasing their range and accuracy/lethality by developing 5-inch precision guided munitions (PGMs).

The NSFS program strategy is to improve the Mk 45 gun, to employ more energetic propellants to increase range, and to develop a guided projectile for improved accuracy. The Navy staff is currently developing an implementation plan for this program. I consider this effort extremely important and will, if confirmed, monitor its progress closely.

Question. What alternatives would you consider raising with the Navy?

Answer. Our options at present are limited, but there are encouraging efforts underway.

The increased range, precision, and accuracy of the 5-inch/54 caliber gun are expected to provide a significantly enhanced NSFS capability in the near-term. We support the U.S. Navy's on going efforts to evaluate future alternatives that are affordable and can be introduced to the fleet by 2001.

Future solutions may include missiles/rockets on existing ships and a 155mm gun on the next surface combatant (SC21). These options will be jointly evaluated, and follow on decisions will be made by U.S. Navy in coordination with the Marine Corps based on the results of subsequent COEAs.

V-22 OSPREY

Question. One of the Marine Corps' high priority development programs is the V-22 Osprey tilt-rotor aircraft. What is your assessment of the value of the V-22 for the Marines?

Answer. Before I answer that, I would like to thank the Congress for the strong, continuous support they have provided in the development and acquisition of this uniquely American technology. It is because of your commitment that this program has become a reality.

The MV-22 is the future of Marine Corps medium lift. It will enable us to provide faster force closure with reduced strategic airlift through self deployment, increased operational reach, greater operational tempo, and greater combat effectiveness and efficiency. Moreover, its increased combat survivability will reduce overall risk to our forces and their most valuable asset—the individual Marine rifleman. The MV-22 provides the Marine Corps with a technology leverage capable of meeting the peacetime and warfighting demands of an uncertain future in addition to providing revolutionary technology with unlimited civilian application.

Question. Are you satisfied with the current procurement plan?

Answer. The current procurement profile results in an initial operating capability in fiscal year 2001 with achievement of full operational capability in 2017. While I am pleased that a production decision has been realized and that funding has been allocated in the FYDP, I am concerned that our CH-46 fleet, which will be 50 years old in 2017, will not remain viable.

Question. When will the AAV be fielded?

Answer. The first platoon of AAV's should be ready for deployment in fiscal year 2008. Deliveries are planned to be completed in fiscal year 2014.

Question. Is this acquisition plan satisfactory?

Answer. Resource reductions have added 2-3 years to the program's length. Estimates show that efficient funding could avoid up to one-half billion dollars in escalation costs associated with the longer schedule. We believe that taking 2-3 years out of the current baseline schedule would not adversely impact the program as it relates to technical risk. In addition it would help take the pressure off the support of our current amphibious vehicle which is growing more difficult and expensive to maintain, and is inherently unable to execute our modern tactical concepts.

As an operational commander, I am convinced that the sooner this capability is fielded, the better.

MEDIUM TRUCKS

Question. The Marine Corps medium truck fleet is rapidly reaching the end of its useful service life. The Marine Corps has indicated that they would prefer to conduct a remanufacturing program rather than procure a new, replacement medium truck. Describe the rationale and acquisition strategy for a remanufacture program for medium trucks.

Answer. The Medium Tactical Vehicle Remanufacturing (MTVR) Program evolved from the need to replace the medium fleet at the turn of the century with limited funding. A test program was initiated to test the concept of adding up-to-date tech-

nology to the existing fleet and producing a like new, more capable vehicle at less cost than buying new. Concurrently, the requirement for the Marine Corps medium truck was reviewed in light of the Department of the Navy From the Sea concept with operations in the littoral regions of the world. This and the fact that the Marine Corps medium fleet is the primary logistics vehicle tasked to move personnel, general cargo, bulk liquids, ammunition, and construction materials drove the following hard requirements for any replacement vehicle.

a. Achieve tactical high mobility (70 percent operation off hard surface roads and 30 percent on highways) similar to the High Mobility Multi-purpose Wheeled Vehicle (HMMWV) in order to adequately support M1A1, AAV and LAV equipped operational units.

b. Maintain the current dual payload capability (5 tons off hard surface roads and 10 tons on highway) and increase payload capacity to move high density loads like ammunition, bulk fuel, and water that range from 7 to 14 tons.

c. Remain within the current medium truck dimensions so as to not impact increasingly scarce amphibious lift.

A 1993 Cost and Operational Effectiveness Analysis (COEA) studied available alternatives to include new vehicles and remanufacturing the current fleet. The COEA concluded that a remanufactured vehicle was the most cost effective means to meet the requirements. There are no new tactical vehicles available that meet the basic requirements of the MTVR. Two technical demonstrators have been built using existing vehicles with upgraded components. They are completing performance and durability testing and an early operational assessment. The demonstrators have validated the viability of upgrading the current vehicle with new components through a remanufacturing process.

The remanufacture process produces a new vehicle with zero service life and provides the increased operational capability required by the Marine Corps for the next century. The estimated cost of a remanufactured medium truck is 60-65 percent of buying a like vehicle new. In addition, by inserting new technology into the remanufacturing process, the Marine Corps significantly improves its medium truck capability and saves money.

The acquisition strategy is to issue a Request for Proposal in fiscal year 1996 through the Army's Principle Executive Office, Tactical Wheeled Vehicles. At least two manufacturers will be selected to produce prototypes for a runoff developmental test. A production contract will be awarded in fiscal year 1999 based on test performance and cost with a planned initial operational capability in fiscal year 2001. Production is planned for a 5- to 7-year period.

Question. Will this be a joint program?

Answer. Yes. The Marine Corps has signed a Memorandum of Understanding with the Principle Executive Office, Tactical Wheeled Vehicles for the PEO to manage the Medium Tactical Vehicle Remanufacturing (MTVR) Program. A joint performance specification that addresses U.S. Army needs for a medium extended service program and the Marine Corps MTVR program is being developed as part of a joint Request for Proposal. The Navy has indicated a desire to participate in the MTVR program for their mobile construction battalions (Seabees).

SHORT RANGE ANTI-ARMOR WEAPON

Question. The Marine Corps and the Army agreed to a 42-month Engineering & Manufacturing Development program for the joint Marine Corps/Army Predator short-range anti-armor/multi-purpose weapon. Reports indicate that a shortage in funding may delay the program and increase costs. This committee has strongly supported this Marine Corps initiative. What can the Marine Corps do to keep the program on schedule?

Answer. The Marine Corps is committed to doing everything it can to maintain a 42-month Engineering & Manufacturing Development (EMD) schedule in order to minimize cost growth for the Predator (SRAW) program.

NIGHT VISION CAPABILITY

Question. The Marine Corps identified Night Vision capability as a deficiency during the war in the Persian Gulf. What has been done to correct that deficiency?

Answer. The Marine Corps is in the process of procuring 42,600 AN/PVS-7B Night Vision Goggles (NVG). To date 9,000 goggles have been fielded. Fielding should be complete by fiscal year 1999. These goggles use the latest generation (Gen III) image intensification tubes and are state of the art.

To complement the NVG's and assist with targeting at night, the Marine Corps is procuring the AN/PAQ-4C infrared aim light. This lightweight device attaches to an M16 and by aligning the strike of the round with the infrared dot (visible with

NVG's only), marines will significantly increase first round hit capability at night. A total of 7,000 AN/PAQ-4C's have been purchased to date with 19,000 left to procure. Fielding should be complete by fiscal year 1997.

In the aviation community, the Marine Corps continues to develop systems and aircraft that take advantage of opportunities to engage opponents at night and during periods of adverse weather. We have modified existing airframes and equipped an aviation force capable of meeting the night fighting requirements of our combined arms MAGTFs. To ensure we maintain a balanced capability, we are pursuing night and adverse weather capability for our helicopter and fixed-wing communities, our air defense units, and our expeditionary airfields.

Question. What future plans do the Marines have to continue this effort?

Answer. The Marine Corps is procuring a Scout Sniper Night Enhancement Device for use on the M40A1 and M82A1 sniper rifles. This device will enable a sniper to identify and engage targets at night. We expect this program to begin fielding in fiscal year 1998.

The Marine Corps is pursuing a Thermal Weapon Sight (TWS) in POM98. Unlike NVG's, this device will "see" through smoke, dust, and other battlefield contaminants and can be used during the day. Current night vision weapon sights, AN/PVS-4 (light weapon) and the AN/TVS-5 (heavy weapon), use older generation image intensification tubes. The Marine Corps will pursue the procurement of Generation III tubes to retrofit these two sights in POM98. The new tubes will significantly increase the range, clarity, capability and longevity of these older sights.

DIGITIZATION OF THE BATTLEFIELD

Question. The Army has made a significant commitment and laid down extensive plans to "digitize" the battlefield. Does the Marine Corps have similar plans for digitization?

Answer. Marine Corps digitization efforts revolve around four major components. These include:

a. Providing situational awareness of the battlespace with a special emphasis on combined arms command and control. This includes demonstrating the appropriate degree of situational awareness for designated fire support commands.

b. Extending situational awareness to commands below the battalion level. We must demonstrate and provide the appropriate mix of information technologies which will improve the command and control of our small warfighting units.

c. Providing a common combat identification (ID) capability for our Marine warfighters, vehicles, armor, and aircraft. We must demonstrate a tactical combat ID capability for the MAGTF which integrates the same technologies used by other DOD services.

d. Expanding the use of tactical data networks to distribute information. We must employ a communications network which efficiently distributes battlefield information while providing connectivity with CONUS support units, higher headquarters and other Government agencies.

Interoperability with other services will be accomplished by adopting the Global Command and Control System standards, establishing a common operating environment for all systems, and adhering to all other joint procedures, standards, and protocols.

Question. The Army has made a significant commitment and laid down extensive plans to "digitize" the battlefield. What is the Marine Corps involvement in the Army's digitization effort?

Answer. The Department of the Navy and the Department of the Army have recently signed a formal Memorandum of Agreement (MOA) at the Assistant Secretary level that outlines the policies and procedures for ensuring coordination of Army, Navy, and Marine Corps digitization efforts.

Question. The Army has made a significant commitment and laid down extensive plans to "digitize" the battlefield. What effect will the Army's digitization program have on the Marine Corps and the Army's ability to fight together in the future?

Answer. Use of Global Command and Control System standards, common hardware, software, and procedures resulting from this effort will enhance our ability to communicate and fight as a joint team in the future. Significantly, these efforts will improve our situational awareness and ability to electronically pass information between Army and Marine units.

SPECIAL OPERATIONS FORCES

Question. What do you see as the Marine Corps' role in Special Operations?

Answer. Marine Expeditionary Units which have been designated as Special Operations Capable are trained to complement and support national and theater Spe-

cial Operations Forces. They provide the CINC an in-extremis special operations capability in the event the national or theater forces are not available.

Question. Can the Marine Corps make greater contributions in this area [special operations], particularly as it relates to working more directly with CINCSOC?

Answer. The Marine Corps meets regularly with CINCSOC to discuss matters of mutual interest, enhanced training opportunities, and to explore those areas where our complementary capabilities can be used. While forward-operating Marine Expeditionary Units (Special Operations Capable) are designed primarily as a general purpose expeditionary forces, they are able to complement USCINCSOC and the theater CINC's Special Operations Command component.

WARFIGHTING DOCTRINE

Question. Describe current Marine Corps warfighting doctrine?

Answer. The Marine Corps' warfighting doctrine is based on a philosophy of maneuver warfare. Maneuver warfare emphasizes operational and tactical speed, decentralized control and initiative, timely concentration of combat power, and bold decisive action to disrupt the enemy's cohesion and destroy his physical ability and will to fight. Maneuver warfare employs surprise and high tempo operations to generate and concentrate combat power at a decisive time and place, focusing on critical enemy vulnerabilities. The Marine Corps executes maneuver warfare through the integrated and coordinated employment of combined arms. The Marine Corps maximizes combat power by organizing into combined arms teams that we refer to as Marine Air Ground Task Forces (MAGTFs). The doctrinal organization of the MAGTF which includes aviation, ground, logistics, and command and control elements provides the cohesion, unity of effort, flexibility, and self-sustainment critical for success in maneuver warfare.

Question. Is maneuver warfare still the basis of Marine doctrine?

Answer. Yes.

Question. Do you plan any major changes to Marine Corps warfighting doctrine?

Answer. No.

Question. What modernization efforts support this doctrine?

Answer. The Marine Corps has a concept based requirements system. Our capstone operational concept, Operational Maneuver from the Sea (OMFTS), is the engine driving our current modernization efforts and directly shaping current doctrinal thought and development. OMFTS requires significant improvements in battlefield mobility, fire support, and command and control.

To meet these requirements, our major modernization efforts are the MV-22 (OS-PREY); the AV-8B Remanufacture; the Advanced Amphibious Assault Vehicle (AAAV); Lightweight 155mm Howitzer (LW155); the Marine Air Ground Task Force (MAGTF) Command, Control, Communications, Computers, and Intelligence (C⁴I) System.

INTELLIGENCE PROGRAMS

Question. What intelligence programs are most important to the Marine Corps?

Answer. I consider the first priority to be development of a trained and professional intelligence officer and enlisted population. The Marine Corps is developing a self-sustaining occupational field with a sufficient number of second lieutenants designated as intelligence officers each year to provide a base from which to "grow" adequate numbers of senior officers. Entry level training will last 19 and 29 weeks, depending on specialty, and will be reinforced with 14 weeks of mid-career-level training at the grade of captain. Tactical intelligence support by enlisted marines is increasing by 10 percent in joint billets and the FMF. This structure will fill major gaps in the FMF in the areas of analysis and dissemination support for tactical units, provide scout/sniper and reconnaissance platoon commander billets for intelligence marines, and enhance FMF Human Resource Intelligence (HUMINT) capabilities.

In addition to the paramount issues of personnel and training, the Marine Corps has over a dozen important tactical intelligence programs. Many of these involve lightweight smaller, capabilities ideally suited for expeditionary environments and Operations Other Than War (OOTW), although they are fully interoperable with joint and other service systems, and can be aggregated to support a Marine Expeditionary Force (MEF) in a Major Regional Conflict. These include:

- Intelligence Analysis System (IAS)
- Joint Services Imagery Processing System (JSIPS)
- Secondary Imagery Dissemination System (SIDS)
- Team Portable COMINT System (TPCS) PIP
- Commanders Tactical Terminal (CTT)

Radio Battalion Modifications (RADBN MODS)
 Mobile Electronic Warfare Support System (MEWSS) PIP
 Technical Control and Analysis Center (TCAC)
 Special Purpose Integrated Remote Intelligence Terminal (SPIRIT) II
 Tactical Electronic Reconnaissance Processing and Evaluation System (TERPES)
 Tactical Remote Sensor System (TRSS)
 UAVs and the Advanced Tactical Aerial Reconnaissance System (ATARS)

Question. How will these programs contribute to Marine Corps mission accomplishment?

Answer. The Marine Corps is developing a trained and professional cadre of intelligence officers. Training enhancement at both entry and mid-level will provide a uniform foundation and up to date skills throughout the intelligence officer population.

The 12 intelligence systems represent much needed capabilities in imagery processing and dissemination; SIGINT collection, analysis, and reporting; and all-source fusion. These systems will enhance the capabilities of the MAGTF commander's own organic assets, enabling deployed forces to better support themselves in an expeditionary environment. Those systems providing connectivity to national and theater imagery and all-source intelligence reporting will enable the MAGTF commander to leverage the wide range of available external support. Open systems, interoperable with other service components as well as with joint commands, will enable the MAGTF commander to share a common intelligence picture both vertically and horizontally.

Question. How important is the tactical (close range) Unmanned Aerial Vehicle (UAV) program for the Marines?

Answer. The need for a balanced tactical reconnaissance capability consisting of a complementary mix of manned and unmanned assets, was one of the most critical lessons learned from Operations Desert Shield and Desert Storm. The Marine Corps is conducting a comprehensive review of our requirements and the capabilities and supportability issues associated with both the Short and Close Range systems to ensure that our commanders will receive timely, useful information.

MARINE CORPS RESERVE

Question. How important is the Marine Corps Reserve?

Answer. There is one Marine Corps—the Total Force Marine Corps. We never deploy to a crisis without our Reserves. The Marine Corps integrates both its Active and Reserve components as individuals in recruit training and officer candidate school. Active and Reserve units train together to the same standards on similar equipment. The Marine Corps Reserve augments and reinforces our Active units, and history has proven that our Reserves more than just a mobilization asset. We never deploy to a crisis without our Reserves.

Question. What are your plans for increasing the contribution of the Marine Corps Reserve?

Answer. Sustaining the Marine Corps' combat power requires the augmentation and reinforcement of a wholly integrated Reserve component. The focus of scarce Reserve training time and dollars must remain on preparing our Reserve units and individuals for their wartime mission. If confirmed, I will continue to hold the Marine Corps Reserve to the same high readiness standards our Active component must meet.

I will evaluate opportunities for Reserve support to peacetime Active component missions in keeping with this wartime focus, and capitalize on those opportunities. While Reserve units simply cannot be activated to meet this routine peacetime deployments, we can continue to explore and employ creative and effective ways of fully integrating the Reserve component with the Active force during exercises and training, and where possible, to help reduce operational tempo. I will continue to develop the current Marine Corps Training Exercise and Employment Plan (MCTEEP) into a Marine Corps Total Force Training Exercise and Employment Plan. The Marine Corps Reserve will participate, to the extent practical, in every training evolution, exercise and employment. When crises do occur, the Marine Corps Total Force will respond as one.

Question. All of the analyses that the committee is aware of point to the accomplishments of the Marine Corps Reserve in Desert Shield/Desert Storm as a model for how the Reserve components should work. In addition to the skill of the individual reservist, this analysis points to the Active duty support provided to the Marine Reserve component as one of the key reasons for their high state of readiness, training, and ability to seamlessly integrate into the Active warfighting structure.

What do you intend to do to ensure that the Active support of Marine Corps component is not reduced either in terms of Active duty personnel or the Active Reserve program?

Answer. I agree that the structure of Active support of the Marine Corps Reserve component and our Active Reserve program are models for the Department of Defense. They are key elements in the success units and individuals have enjoyed when called to active duty in support of national requirements. If confirmed, I anticipate no difficulty maintaining these crucial programs.

EQUAL OPPORTUNITY

Question. The Senate Armed Services Committee is deeply concerned over a number of events in recent years that have called into question the Department of the Navy's commitment to ensuring equal opportunity for women and minorities. What actions will you take to ensure equal opportunity for women and minorities under your command?

Answer. Under General Mundy's leadership, the Marine Corps has embarked upon an aggressive effort to ensure equal opportunity for women and minorities. If confirmed, I will continue those initiatives. My watchword remains on my desk—a sign that says "INTEGRITY." Honor and integrity define the trust and confidence that the American people place in me as a Marine Officer and that marines—all marines—deserve. My integrity demands that marines and civilians who rely on me for leadership are treated equally and fairly. If confirmed, I will do all I can to set the example for the Marine Corps to follow.

Question. What actions will you take to ensure effective investigation, and appropriate action, to address incidents of unlawful discrimination or other unlawful conduct toward women and minorities should such problems arise within your command?

Answer. The education and commitment of our leadership is important. In addition, should I be confirmed, I will emphasize swift and decisive action on all documented allegations. Equally important is prompt feedback to the individuals filing complaints; this will help to instill confidence in the complaint system.

Question. What specific actions have you taken in your present job and in your previous jobs to demonstrate leadership in these areas, particularly as a commander?

Answer. My experience in command of marines as the Commanding General, 2nd Force Service Support Group in Operation Desert Shield and Desert Storm (in combat), at the Marine Corps Combat Development Command (defining and defending the warfighting requirements of the Corps), and in my current assignment as Commander Marine Forces Pacific (with marines deployed and employed around the world) has proven to me that marines—all marines without regard to race, gender, or religion—want to and can do their jobs. As a commander, I make it a point to ensure that all of my marines have the opportunity to utilize their talents and capabilities to serve their Corps and Nation.

I am particularly proud of the strides our Corps took while I was Commanding General, Marine Corps Combat Development Command, to arrest minority attrition in our officer candidate school and the mentoring program established within the Marine Corps University. These are steps taken along a path in the right direction. If confirmed, I will continue the course set along that path.

CONGRESSIONAL OVERSIGHT

Question. In order to exercise its legislative and oversight responsibilities, it is important that the Armed Services Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information. Do you agree, if confirmed, to appear before this committee and other appropriate committees of the Congress?

Answer. Yes.

Question. Do you agree, when asked, to give your personal views, even if those differ from the administration in power?

Answer. Yes.

Question. Do you agree, if confirmed, to appear before this committee and other appropriate committees and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commandant of the Marine Corps?

Answer. Yes.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

Senator LEVIN. Is this JCS position paper, particularly its definition of "Command", "Operational Control" and "Tactical Control", still current and valid?

General KRULAK. The definitions on the JCS position are abbreviated forms of the more detailed definitions contained in Joint Publication 1-02, DOD Dictionary of Military and Associated Terms.

Senator LEVIN. In your answers at the hearing, you used different terms from those in the enclosed JCS paper. You used terms like "operational command". Did you mean to use terms different from those in the JCS paper, or could you use the JCS terms as substitutes for the terms you used?

General KRULAK. Presidential Decision Directive 25 (PDD-25) notes: "It is sometimes prudent or advantageous to place U.S. forces under the operational control of a foreign commander to achieve specified military objectives."

[NOTE. General Krulak, in his example, referred only to the lesser form of control, but not to exclude the less restrictive form authorized by PDD-25.

Where necessary to correct the record, the correct JCS terminology and definitions should be inserted.]

[The nomination reference of Lt. Gen. Charles C. Krulak, USMC follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
March 14, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment as Commandant of the Marine Corps, Headquarters, U.S. Marine Corps, and appointment to the grade of general while serving in that position under the provisions of Title 10, United States Code, Section 5043:

To be Commandant of the Marine Corps

Lt. Gen. Charles C. Krulak, 224-54-7364, USMC.

[The biographical sketch of Lt. Gen. Charles C. Krulak, USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE NAVY,
HEADQUARTERS UNITED STATES MARINE CORPS,
Washington, DC, March 21, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The resident, under the provisions of Section 5043, Title 10, United States Code, has submitted to the Senate the nomination of the following Marine Corps general officer for reassignment and appointment to the grade of General:

Name and grade: Charles C. Krulak.

Age: 53.

Assignment: From Commander, U.S. Marine Corps Forces Pacific/Commanding General, Fleet Marine Forces Pacific/Commander, Marine Corps Bases Pacific to Commandant of the Marine Corps.

The Secretary of Defense has awarded the joint specialty to Lieutenant General Krulak.

For the information of the committee, I am enclosing a career résumé.

Very Respectfully,

C. E. MUNDY, JR.
Commandant of the Marine Corps.

Enclosure.

RÉSUMÉ OF SERVICE CAREER OF LT. GEN. CHARLES C. KRULAK, USMC

Date and place of birth: March 4, 1942, Quantico, VA.*Years of commissioned service:* 30 years.*Civilian schools attended:*

U.S. Naval Academy, BS, 1964.

George Washington University, MS, 1970.

Military schools attended:

The Basic School, Quantico, VA, 1964.

Amphibious Warfare School, Quantico, VA, 1969.

U.S. Army Command and General Staff College, Ft. Leavenworth, KS, 1977.

National War College, Washington, DC, 1982.

Language qualifications: None listed.*Major permanent duty assignments:*

Assignment	From	To
Headquarters, U.S. Marine Corps (Manpower Department – Head, Combat Arms Monitor Section, Enlisted Assignment Branch; Administrative Assistant to Director of Personnel).	1978	1981
National War College (Student)	1981	1982
Fleet Marine Force, Pacific (G-5 Plans and Policy Officer)	1982	1983
1st Marine Expeditionary Brigade (Executive Officer, 3d Marine Regiment; Commanding Officer, BLT 3/3; Assistant Chief of Staff, Maritime Prepositioning Ships; Asst. Chief of Staff, Operations).	1983	1986
Office of the Assistant Secretary of Defense (Command, Control, Communications & Intelligence) (Military Assistant).	1986	1987
White House Military Office (Deputy to the Director)	1987	1989
2d Marine Division (Assistant Div Comdr/Commanding General, 10th Marine Expeditionary Brigade)	1989	1990
2d Force Service Support Group/10th MEB (Commanding General)	1990	1991
Headquarters, U.S. Marine Corps (Director, Pers Management Div/Pers Procurement Div)	1991	1992
Marine Corps Combat Development Command (Commanding General)	1992	1994
U.S. Marine Corps Forces Pacific/Fleet Marine Force Pacific/Marine Corps Bases Pacific (Commander/Commanding General).	1994	Present

Promotions: Second Lieutenant, Jun 1964; First Lieutenant, Jan 1966; Captain, Aug 1967; Major, Jul 1973; Lieutenant Colonel, Aug 1979; Colonel, Apr 1985; Brigadier General, Aug 1990; Major General, Aug 1992; Lieutenant General, Sep 1992.

Personal decorations: Defense Distinguished Service Medal; Distinguished Service Medal; Silver Star Medal; Bronze Star Medal w/Combat "V" and 2 gold stars; Purple Heart w/gold star; Meritorious Service Medal; Navy Commendation Medal; Combat Aviation Ribbon.

Joint duty assignments:

Assignment	Dates	Grade
Office of the Assistant Secretary of Defense (Command, Control, Communications and Intelligence) (Military Assistant).	1986–1987	Colonel
White House Military Office (Deputy to the Director)	1987–1989	Colonel
Commanding General, Direct Support Command (Commanding General, 2d Force Service Support Group, Desert Shield/Desert Storm, I Marine Expeditionary Force).	1990–1991	Brig. Gen.

* Designated a Joint Specialty Officer.

Mandatory retirement date: Jul 1999.

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Lt. Gen. Charles C. Krulak, USMC, in connection with his nomination follows:]

UNITED STATES SENATE
 COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
 NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

Charles C. Krulak.

2. **Position to which nominated:**

Commandant of the Marine Corps.

3. **Date of nomination:**

March 14, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

March 4, 1942; Quantico, VA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Zandra Meyers Krulak.

7. **Names and ages of children:**

David, 28; and Todd, 24.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.

None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

2d MarDiv Association.

3d MarDiv Association.

Marine Corps Association.

11. **Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

Golden Triangle Award for superior service, YMCA.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

C. C. KRULAK.

This 2d day of March, 1995.

[The nomination of Lt. Gen. Charles C. Krulak, USMC, was reported to the Senate by Senator Strom Thurmond on May 19, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 23, 1995.]

NOMINATION OF DR. JOHN P. WHITE TO BE DEPUTY SECRETARY OF DEFENSE

TUESDAY, JUNE 13, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:03 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Coats, Inhofe, Nunn, Kennedy and Lieberman.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Donald A. Deline, general counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Jonathan L. Etherton, Thomas G. Moore, Joseph G. Pallone, Cord A. Sterling, Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard D. DeBobes, counsel; Richard E. Combs, Jr., John W. Douglass, William E. Hoehn, Jr., and Michael J. McCord, professional staff members.

Staff assistants present: Connie B. Rader, Sharen Reaves, and Deasy Wagner.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; Richard F. Schwab, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; Lisa W. Tulte, assistant to Senator Byrd; Suzanne Dabkowski, assistant to Senator Robb; John F. Lilley, assistant to Senator Lieberman; Randall A. Schieber, assistant to Senator Bryan.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

Dr. White, we are glad to have you with us to discuss your nomination to be the Deputy Secretary of Defense. I see Senator Kennedy is here to introduce you, but before we get to the formalities of the hearing, I want to welcome some very important visitors to this committee.

I would like to recognize Dr. White's wife, Betty—please stand and raise your hand, or just raise your hand. [Laughter.]

His daughter, Patricia, and his son, John. We are glad to have you all with us.

Dr. White, I need to begin this hearing on a serious note. Many believe that the world is a safer place to live than it has been in many years.

In fact, in the opening statement you provided the committee, you stated that you believe "the world is indeed safer and the United States more secure."

I do not believe I can agree with that statement. I believe we are living in a very dangerous time, and we are simply experiencing a short respite before we are again faced with significant threats to the safety, sovereignty and vital interests of the Nation.

There are numerous governments around the world attempting to build atomic devices that pose a real threat to our safety. Terrorists threaten our citizens, and there are wars in many parts of our world which have the potential of embroiling us in large and costly conflicts.

This committee has held hearings concerning one of these troubled areas, Bosnia, where war rages and we must decide what our role, if any, should be.

Frankly, I am not impressed with this administration's ability to make decisions in the foreign policy arena and stick to them.

In fact, I believe they appear to have trouble explaining the policies they manage to formulate in a way that allows them to be executed with precision.

If confirmed, you will be part of a team that creates policies that significantly impact the Department of Defense. These are not policies of small consequence. What you and your fellow members of the administration do will impact the welfare of every person in our Nation and could cause thousands of individuals to lose their lives.

You will not be the ultimate decision maker, but you will have a significant impact on every major decision made concerning the defense of our Nation.

Dr. White, I have a number of questions I want to ask you during this hearing, and others may have statements to make. Senator Kennedy is here to introduce you, and I know you have prepared some opening remarks as well.

So for now, I would just like to thank you for your willingness to assume these heavy responsibilities and for appearing here today.

It is a real pleasure to get to see you and your family. I look forward to discussing national defense matters with you during this hearing and throughout your tenure as Deputy Secretary of Defense.

Senator Nunn, I believe you have some remarks to make before Senator Kennedy introduces Dr. White.

Senator NUNN. Thank you very much, Mr. Chairman.

I commend you for scheduling this hearing. I know that there are an awful lot of other things on the agenda, but this is an enormously important appointment, and I appreciate, Mr. Chairman your scheduling the hearing.

I want to welcome Dr. White back to this committee. He has been here a number of times over the years. I also welcome his

wife Betty and his daughter Patti and his son John. We are glad to have all of you.

The Deputy Secretary of Defense is the most important member of the Secretary of Defense's team. The Deputy traditionally serves as the Secretary's alter ego and exercises primary responsibility for the internal management of the Department of Defense. And, of course, as we all know, that is an awesome responsibility.

The Clinton administration, has been blessed with two very able Deputy Secretaries of Defense; first Bill Perry, the current Secretary of Defense, and second, John Deutch, the current Director of the Central Intelligence Agency.

I have known and worked with Dr. White for nearly 20 years, in his capacity as Senior Vice President of RAND, as Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics, as Deputy Director of OMB, and as Chairman of the Commission on Roles and Missions in recent months.

His distinguished public service has been matched by a successful career in the private sector and in academia. He brings the experience and background needed to serve as Deputy Secretary of Defense in these challenging times, and he certainly has my support.

During a period of downsizing and budget reduction, it is particularly important that our defense resources are managed in a prudent and effective manner. And we have many challenges in that regard that I will not go into today.

As demonstrated in the Gulf war and most recently in the rescue of Capt. Scott O'Grady, we have the best trained, best equipped and finest Armed Forces in the world. Our job is to ensure that any changes made do not degrade the essential foundations of our combat and support capabilities.

We all know we have a very serious problem in terms of where the money is coming from to replace the modern equipment that is certainly not going to stay modern forever. We have a very serious problem in terms of the procurement accounts. We are living off the corpus, in effect.

Mr. Chairman, the courage, tenacity and resourcefulness of Captain O'Grady and all of those who executed the brilliant rescue mission reflect the outstanding caliber of our men and women in uniform today. They perform their duties in the manner that members of the Armed Forces are trained to do on a daily basis.

As Dr. White will well recall from his service as the Pentagon's Manpower Chief in the 1970s, late 1970s, at which time I was Chairman of the Manpower Subcommittee, the quality of today's force is directly attributable to the bipartisan actions the committee took at that time and in the early 1980s.

I remember particularly Senator Warner, Senator Cohen and I working together on a number of those manpower initiatives. You, Mr. Chairman, were right at the forefront the entire period we worked on improving the quality of the military.

Dr. White played a very important part in improving the capability of our Armed Forces and in recruiting, training and retaining military personnel.

Dr. White, I also congratulate you, as well as your family, on this nomination. I look forward to working with you and Secretary Perry on our mutual efforts to maintain a strong national defense.

Dr. WHITE. Thank you, Senator.

Senator NUNN. I would ask that all of my statement be part of the record, please.

Chairman THURMOND. Without objection, so ordered.

[The prepared statement of Senator Nunn follows:]

PREPARED STATEMENT BY SENATOR SAM NUNN

Thank you Mr. Chairman. I want to thank you for scheduling this hearing and for the prompt manner in which you have processed this nomination. I join you in welcoming Dr. White back to the committee, and in welcoming his wife, Betty, his daughter Patti, and his son, John.

The Deputy Secretary of Defense is the most important member of the Secretary's team. The Deputy traditionally serves as the Secretary's alter ego, and exercises primary responsibility for the internal management of the Department of Defense. It is an awesome responsibility. The administration has been blessed with two able Deputy Secretaries of Defense—Bill Perry, the current Secretary of Defense, and John Deutch, the current Director of Central Intelligence.

I have known and worked with Dr. White for nearly 20 years—in his capacity as Senior Vice President of RAND, as Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics, as Deputy Director of OMB, and as Chairman of the Commission on Roles and Missions. His distinguished public service has been matched by a successful career in the private sector and in academia. He brings the experience and background needed to serve as the Deputy Secretary of Defense in these challenging times.

During a period of downsizing and budget reductions, it is particularly important to ensure that our defense resources are managed in a prudent and effective manner. We will need significant changes in the manner in which we train, equip, and operate our military forces. At the same time, we must ensure that any changes in the defense establishment proceed from careful consideration and a solid analytical foundation, not merely theoretical or philosophical considerations. As demonstrated in the Gulf war and most recently in the rescue of Capt. Scott O'Grady—we have the best trained, best equipped, and finest Armed Forces in the world, and we must ensure that any changes do not degrade the essential foundations of our combat and support capabilities.

Mr. Chairman, the courage, tenacity, and resourcefulness of Captain O'Grady and those who executed the brilliant rescue mission reflect the outstanding caliber of our men and women in uniform. They performed their duties in the manner that members of the Armed Forces are trained to do on a daily basis. As Dr. White will recall from his service as the Pentagon's manpower chief in the late 1970s when I served as Chairman of the Manpower Subcommittee, the quality of today's force is directly attributable to the bipartisan actions this committee took at that time, in conjunction with Dr. White, to improve the capability of the Armed Forces to recruit, train, and retain military personnel. Senators Thurmond, Warner, Cohen, Exon, and Levin each made important contributions to that effort.

Dr. White, I congratulate you on your nomination and look forward to working with you and Secretary Perry in our mutual efforts to maintain a strong national defense.

Chairman THURMOND. Senator Warner.

Senator WARNER. I join the Chairman and the ranking member in welcoming Dr. White. You certainly have the qualifications, the background and experience to do this job. I express my appreciation to you and your family for being willing to take on the heavy responsibility. I will have further questions.

Chairman THURMOND. The Senator from Connecticut.

Senator LIEBERMAN. Thank you, Mr. Chairman. Very briefly, I want to welcome Dr. White. Looking at your biography and having had the chance to get to know you, it seems to me in many ways that your entire life has prepared you for this moment. That is in the national interest, really.

The combination of your service in the public sector and private sector and your role this last year as the Chairman of the Commission on Roles and Missions, has provided ideal preparation for the job that you are about to assume.

I am particularly appreciative both in the discussions we have had and in the text of your opening statement today of the awareness and commitment that you show to the importance of remaining ready, not only near term, but long term.

That goes to building on the extraordinary technological developments that are occurring in the commercial sector and in leveraging them for the defense of our Nation years ahead.

I look forward to working with you, and I am very grateful that you have been willing to assume this position for our Government.

Thank you, Mr. Chairman.

Dr. WHITE. Thank you, Senator.

Chairman THURMOND. Do you have any statement, Senator Inhofe?

We would be glad to have an opening statement by you, Dr. White, if you care to make it.

Senator KENNEDY. Mr. Chairman, I think all of us are looking forward to his opening statement, and I will be very brief, if I may make a statement.

Chairman THURMOND. I beg your pardon. You go right ahead. I know you will give him a good introduction.

Senator KENNEDY. Thank you very much, Mr. Chairman.

This obviously is a formality, because the Members of the committee are familiar with the excellence which has been associated with our nominee's career over a long period of time.

I think many of his important responsibilities have been mentioned by Members of the committee. One that has not been is that he was a member of the United States Marine Corps and platoon leader, a lieutenant in the United States Marines.

Dr. White has had a remarkable career of personal service: involvement in the military; an extraordinary career on national security issues for 9 years at the RAND Corporation; excellent service in terms of the manpower, logistics and also the Reserves; understanding of the role of the Reserves and its relationship with the military; unique insight as the Deputy Director to OMB; and insight to the relationship between defense and other priorities of our Nation. He has also been a leader in the private sector involving the latest of new technologies and a very distinguished, successful leader in corporate America.

Now, as the Director of the Center for Business and Government up at the Kennedy School, he has continued to involve himself in public policy issues that have been related to the defense of our country.

I think Secretary Perry has chosen wisely. I think the President has chosen wisely.

This man brings to this position not only the extraordinary skills that have been sharpened over his own lifetime, but an extraordinary commitment to the defense of this country and its security. I know that our security will be well served by his service. It is a pleasure to introduce a son of Massachusetts to the committee.

I thank the Chair.

Chairman THURMOND. Thank you very much, Senator, for coming and introducing Dr. White. I know how busy you are. Dr. White, you may proceed with your opening statement.

STATEMENT OF DR. JOHN P. WHITE, NOMINEE FOR DEPUTY SECRETARY OF DEFENSE

Dr. WHITE. Thank you, Mr. Chairman, Senator Nunn, Members of the committee.

My name is John P. White. I am here today before you as President Clinton's nominee to be Deputy Secretary of Defense. I am currently, as Senator Kennedy mentioned, Director of the Center for Business and Government at the John F. Kennedy School at Harvard.

Let me first, if I may, Mr. Chairman, say a few words about my own qualifications for this very large and challenging job. Some of that has already been mentioned in terms of my public service.

In addition to that, as has been mentioned, I was a Senior Vice President and member of the board of trustees at the RAND Corporation, as well as the Chairman of the Board and CEO of Interactive Systems Corporation, a software systems company, which we subsequently sold to Kodak, where I was a corporate vice president.

In addition to that, I am pleased to say that I served both on active duty and for 7 years in the Reserves as an officer in the U.S. Marine Corps.

And, obviously, while none of these experiences compare to the kind of challenge that I might face here, I think they do give me management experience, particularly in areas of rapid change and where we need to adjust our institutions to meet those changes. So hopefully, they will help me in this endeavor.

As has been mentioned, over the last year, I have been chairman of the Commission on Roles and Missions of the Armed Forces, a commission that was instituted by this committee and its counterpart in the House. We provided our report on May 24, and I just wanted to say a few words about that.

First and most importantly, we have come to the conclusion, as you have, that we have the finest military forces in the world.

In addition to that, I think it is appropriate to underline that at the base of that are the finest young men and women serving in uniform and supporting them around the world. That is the number one conclusion.

The second conclusion that I would bring is that we discovered that the fundamental emphasis that ought to be made with respect to the Department at large is focusing on supporting the joint military effectiveness of the commanders in chiefs (CINCs) in the field.

It is the CINCs who fight our wars, who conduct our military missions for us, and the Department ought to continue to emphasize, as is laid out in Goldwater-Nichols, that it is the primary and singular function of the Department to support the CINCs in their efforts.

In that regard, we have made more than 161 recommendations of changes that we think ought to be made. Many of them will be controversial.

I will not go through them today, but let me say briefly that they do emphasize increasing the support that the CINCs get and increasing their authority to ensure that they are ready to meet the missions that they are given.

We also urge increasing some of the authority of the Chairman of the Joint Chiefs. We emphasize that it is fundamentally the military services, the uniformed services, who deliver those capabilities to the CINCs, and they ought to continue to sharpen those core competencies that are so important to our military effectiveness.

We also found that there are areas where savings are possible. One area in particular is in the vast infrastructure within the Department of Defense, and we think there are a good many more savings that can be made there, although progress has been made.

And finally, we think a good deal can be done in terms of improving the decision-making processes within the Department.

Speaking personally, I think that this training has been helpful for me in facing the challenges ahead, assuming that I am confirmed in the position of Deputy Secretary.

Let me turn briefly to what my own roles and missions would be if I am confirmed, in terms of supporting the Secretary.

As you know, the Secretary has three principal objectives: To prevent the reemergence of a nuclear threat; to give the President sound, timely, thoughtful advice; and to complete the transition to a new force structure.

While I intend to support the Secretary in all of those efforts, my principal focus, as he and I have discussed, will be on force modernization.

Force modernization, of course, has to be done in the context of readiness, both now and in the future, which is the Secretary's number one priority, and also in terms of the quality of life of our forces.

Let me say, as a former Marine, as a former Assistant Secretary for Manpower, and as the father of a Marine son who served as a platoon commander in the Gulf war, I think I understand how important it is that we maintain the appropriate quality of life for our forces.

In addition to the quality of life in terms of compensation and other amenities, they have to have quality weapons, quality equipment and quality training. The world is a changing place. As the Chairman said, there is a great deal of danger in the world. Therefore, DOD has to change.

There has to be change in terms of adopting more commercial practices and commercial capabilities in the Department, and there has to be more economy. Dollars will be scarce.

We will not be able to look for large increases in the budget for force modernization. Hence, we have to find sufficient economies in terms of the infrastructure. The BRAC process, I believe, will help in that regard.

We also have to look toward reinventing government, the acquisition reform that was passed by the Congress last year that is now being implemented by the Department, and other methods of efficient operation of the Department.

In closing, Mr. Chairman, let me say that one of my experiences from chairing the Commission has been the emphasis that needs to be placed on cooperation and trust in terms of an effective military organization.

I want to pledge to you today that I understand that lesson well and will be working and striving with everyone I deal with, including this committee, in the spirit of cooperation, teamwork, and trust.

If confirmed, I will strive for that single objective, the effective joint military operations of the Department of Defense.

Those of us who support strong, ready Armed Forces all need to work together, and I look forward to the opportunity to work with all of you as part of that unified national security team. Thank you.

[The prepared statement of Dr. White follows:]

PREPARED STATEMENT BY DR. JOHN P. WHITE

Thank you very much, Mr. Chairman, Senator Nunn, and Members of the committee. My name is John P. White, and I am pleased to appear before you as President Clinton's nominee for Deputy Secretary of Defense. I am currently the Director of the Center for Business and Government at Harvard's Kennedy School of Government, and Chairman of the Commission on Roles and Missions. Today I would like to touch on my qualifications for the position of Deputy Secretary of Defense, and describe how I plan to assist Secretary of Defense William Perry to carry out his agenda for DOD.

In my career, I have served in both the public sector and in the private sector, namely as a senior executive at Kodak and as Chairman and CEO of Interactive Systems Corporation. I know what it's like to meet a payroll. Business experience can be of real value to the Deputy Secretary of Defense, the Pentagon's Chief Operating Officer. It is particularly useful today at a time when DOD is adopting some of the best financial, management and personnel practices of the private sector.

For the past year, I have applied my public and private sector experience as Chairman of the Commission on Roles and Missions, which was established by Congress to find ways to improve the effectiveness of military operations into the first two decades of the next century. The Commission's final report was issued on May 24.

As you know from the Commission's report, we found that America's Army, Navy, Air Force and Marine Corps are the best-trained, best-equipped, and most-capable military force the world has ever known. Our men and women in uniform are smart, motivated and dedicated. Their morale is high and their leadership superb. They are true American patriots. We have seen these qualities in action wherever our forces have served, from Desert Storm to Haiti to helping with the rescue efforts in the Oklahoma City tragedy. The United States is secure because no other nation in the world can match our people in uniform. They are a national asset. And they are backed by a superb civilian work force. Despite experiencing massive changes, this work force continues to deliver outstanding service.

We must use these assets wisely and effectively. The Commission made a series of recommendations to this committee, the House National Security Committee, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that I believe will help assure that the Department will be able to meet the security challenges ahead.

More specifically, the Commission recommended that the Department of Defense continue to push toward truly effective joint operations that were initiated by the Goldwater Nichols Act in 1986. As I stated in the transmittal letter, this means that the military services and all other elements of the Department of Defense must focus their energies on supporting the unified Commanders-in-Chief who plan for and conduct our military operations. Consequently, the Commission also recommended that DOD put more emphasis on developing the "core competencies" of the services and other organizations that contribute capabilities to the warfighting CINCs. As for the operation of the Department itself—an area where the Deputy Secretary is uniquely responsible—the Commission urged the Department to make its supporting infrastructure leaner and more responsive by out-sourcing more activities and applying modern business practices. In addition, the Commission urged that the Department revamp its organizational and decision-making processes to

improve its ability to adapt smoothly and effectively to changes in the national security environment.

Leading the Commission has given me a broad understanding of how the Department works and what challenges lie ahead for me if I am confirmed. For today, would like to focus on how I view my *own* roles and missions if I am confirmed as Deputy Secretary of Defense.

First and foremost, my role is to assist Secretary Perry in maintaining the ready, effective force we have today. This is a good time to be coming to the Pentagon. As a former U.S. Marine, I am well acquainted with the phrase, "The Marines have landed and the situation is well in hand." Under Secretary Perry's leadership, the situation is already well in hand at the Department. After studying the Department over the past year, I am deeply impressed with how it has weathered tremendous changes and continues to be highly effective. My job is to help Secretary Perry to keep it running smoothly, and my agenda is Secretary Perry's agenda.

One of the principle ways I plan to support the Perry agenda is through the planning, programming and budgeting process. In my view, the Bottom-Up Review remains a dynamic document that continues to provide an invaluable basis for matching the security strategy we adopt, with the military capability we want, and the resources needed to ensure this capability. And the Secretary and I have discussed how this process can be improved.

Having served in the Office of Management and Budget, I understand how important it is for the Department to deliver a balanced, operationally effective budget that will ensure the capability of our forces, for both the near and the long-term. So when it comes to the planning, programming and budgeting process, there are two watchwords that will guide me. The first is *honesty*. There will be no fudge-factor in the multiyear defense program. The defense budget is not a wish list. It is a detailed blueprint for the Nation's defense. Anything less would do a disservice to our uniformed forces and the Nation.

The second watchword is *cooperation*. If I am confirmed, it is a word that I hope will characterize all of my work at the Department. I would continue to involve all components of the Department—the military-services, the Joint Staff, and the Office of the Secretary of Defense—in the planning, programming and budgeting process. And in all matters critical to our national security, my office would work cooperatively within the Department and the administration, as well as with the Congress and the intelligence community. In particular, I am confident that the new Director of Central Intelligence, with whom I have worked closely before, can offer a few tips on how to be an effective Deputy Secretary of Defense.

In my work on the Roles and Missions Commission, I came to understand deeply that effective military operations must be built on cooperation and trust. This principle has been stressed by the Chairman, Vice Chairman and CINCs in my meetings with them.

Cooperation is critical for all of us today because we live in a world of change and uncertainty. While the world is indeed safer and the United States more secure, we have to replace our prior view of an enduring and massive threat with an appreciation for threats that arise quickly in a local, regional or even global context. And the pace of change in the international environment is so rapid that we have to clear means of determining which threats are going to be most dangerous in the years ahead. However, we do know what security challenges we face today and in the immediate future, and that we must be prepared to adjust to new realities.

We are all interested in the same thing: maintaining ready, effective forces with the best equipment, quality of life and morale—a force that remains the best in the world. Secretary Perry has said there shall be no "Hollow Force." I believe we all share this pledge.

Under Secretary Perry's leadership, DOD clearly is capable of meeting these many challenges. He has organized his task around three objectives:

First, to prevent the reemergence of a post-Cold War nuclear threat by helping Russia and the other nuclear states of the former Soviet Union dismantle their nuclear weapons arsenal and related infrastructure, and by developing effective means to counter the proliferation of nuclear weapons around the world.

Second, to provide the President with smart, clear and deliberate advice on the use of force in this changing, complex world. This is the most profound political and ethical decision a President can make, because the lives of our men and women in uniform, and the lives of the people of another nation, are at stake.

Third, to complete the transition to a new force structure capable of responding swiftly and effectively when American security, interests and allies are threatened. Fortunately, the Cold War drawdown will be nearly complete by the end of fiscal year 1996. And it was done through two administrations without jeopardizing readi-

ness, quality of life, or morale. The key to completing a successful transition is maintaining these standards.

If confirmed, my mission would be to assist the Secretary in carrying out all three objectives. The Deputy Secretary must ensure that the DOD programs to help dismantle the former Soviet nuclear complex, and to counter the proliferation of weapons of mass destruction, continue to run smoothly and effectively. And as part of the unified national security team, the Deputy Secretary also needs to assist the Secretary in answering the profound question of whether to use force by helping to make clear what American interests are at stake, whether force can or should be used to protect those interests, and what level of force is necessary if it must be used.

And if confirmed, I plan to focus intensely on the third objective—in particular, on ensuring the readiness and quality of life of our forces, now and in the future. That's easily said. By now, readiness and quality of life are like Mom and apple pie. Everybody's for them. Everybody should be. But there is a risk that the words will become clichés and lose their meaning, opening them to distortion. We must be precise about what we mean by readiness and quality of life. Our readiness is not in jeopardy if an Army tank battalion happens to train in the field for 225 days instead of 250. But readiness is in jeopardy when our early deploying units cannot deploy early. And quality of life is not solely a question of whether military salaries match civilian salaries, dollar for dollar. Quality of life is a question of whether our forces and their families have a decent place to live, a decent standard of living, and enough time together as family. Our forces know the difference between real readiness and quality of life, and rhetoric. We should take heed.

I make this point because protecting readiness and quality of life require concrete measures. In the near term, readiness means units are ready to go when needed. We saw this readiness when our troops deployed at a moment's notice to Haiti and Rwanda. You protect this readiness by providing the right level of training, operations and maintenance, and by keeping pipelines running with spare parts and ammunition. It means honing our units to a razor's edge.

But ensuring this readiness in the future requires more. It requires retaining the quality-people we have today. It takes years to train a combat unit leader or a senior technician, and we don't want to lose this investment. We also want to continue attracting and recruiting quality people. To retain and recruit quality people, the military has to offer a rewarding lifestyle. Protecting this quality of life also requires concrete measures, such as maintaining good pay, housing, medical care, day care and a reasonable operations tempo; but it also means providing challenging careers that deliver personal growth, pride and respect. Our uniformed people serve in the best sense of the word.

If confirmed as Deputy Secretary of Defense, I will fully support and carry out the Clinton-Perry Quality of Life Initiative, in which the President added \$2.7 billion to the DOD budget plan over the next 6 years to provide additional expenditures for our people. In particular, I will continue to support the full military pay raises allowed by law. Last year, Secretary Perry went to the mat to ensure these pay raises, and it was worth the fight. I saw for myself in the late 1970s, as the Assistant Secretary for Manpower, Reserve Affairs and Logistics, what happens when the buying power of our soldiers, sailors, airmen and marines is eroded by high inflation. Ensuring the full pay raises allowed by law is a key element in our commitment to a high-quality force.

Another is housing, one of the toughest quality-of-life problems. Military-housing is in rough shape. Too many military families live in substandard quarters. Too many single sailors call a bunk on a ship their home because there aren't enough dormitories to house them in port. Housing is critical to quality of life. As Secretary Perry said, there is no better way to tell our forces that "we don't care" than to ignore their housing problems. If you want to chase good people out of the service, and keep good people away, let military housing continue to deteriorate.

The Quality of Life Initiative will mitigate this problem by providing additional funding for housing allowances, new construction and reconstruction. But much more needs to be done. So I would urge Congress to adopt the Military Family Housing Revitalization Act of 1995, a DOD legislative proposal that will allow the Department to tap into the \$500 billion private mortgage market and private developers to build housing for military personnel.

While quality of life is critical, as I said earlier, it must be coupled with quality weapons, equipment and training. This has been a key to American combat effectiveness. During the Cold War, our technological edge on the battlefield helped us offset a superior number of Warsaw Pact forces. During Desert Storm, it helped us put down the sizable Iraqi forces with quick dispatch and minimal casualties. If con-

firmed as Deputy Secretary of Defense, I would work hard to ensure a modernization program that maintains our superiority on any battlefield.

But I also recognize that the way we modernize our forces is changing. First of all, the defense-unique industrial base has shrunk, and it continues to shrink. While we need to protect key defense industry capabilities for our major systems, many of the technological advances we need on the battlefield are coming from the commercial sector. The microchip is a good example. The commercial market drives the computer to double its operating speed every 18 months. DOD needs to leverage such technology. Advances in computing have already transformed munitions from dumb to smart, and turned the combat fighter plane into a flying combat operations system. Microchip technology could very well revolutionize battlefield situation awareness and the way we plan battle campaigns. The commercial market will be the place to get this technology. We must be prepared to adapt commercial capabilities to our needs.

Another challenge to modernization is that we do not expect significant increases in funds for new systems and upgrades. For the near term, the drawdown has allowed DOD to retire its older equipment and keep the average age and operating hours fairly low. But this approach will run its course, since the drawdown is nearly over. So it is going to take more money, but it won't need to come solely from a budget increase in the future.

Part of it will come from cutting the Department's overhead costs down the road by reducing unneeded infrastructure. For the next 5 years, base-closing will cost the Department about \$4 billion a year, which includes funds to help communities with the impact and to turn these properties into productive economic assets. By the end of the decade, if everything goes as projected, that same category of the budget will have a savings of \$6 billion. So there's a \$10 billion "swing" from \$4 billion in cost to a \$6 billion in savings. We plan to use this \$10 billion swing for modernization.

Another source of modernization resources will be savings from reinventing government at DOD. I will work to continue streamlining the Pentagon and giving our employees the power to do their jobs better. The biggest boost to streamlining at DOD came when Congress passed the historic acquisition reform legislation last year. This legislation will help DOD maintain our technological edge on the battlefield, carry out President Clinton's commitment to reinvent government, and demonstrate how cooperation between Congress and DOD can enhance our national security. If confirmed as Deputy Secretary, one of my top priorities will be to see that this reform is fully implemented, and to change not only the acquisition *system*, but also the *culture* of acquisition. Secretary Perry, whose vision and leadership were critical to passage of this legislation, is committed to having DOD buy commercially and use commercial standards and processes wherever it makes sense. As a former business executive, I heartily agree and look forward to bringing about this change in the way that the Department does business.

I don't pretend to have all the answers. If anything, the year I've spent on the Roles and Missions Commission has given me a fuller appreciation of the difficulty of the challenges ahead. It's a case of the more you know, the more you realize how much you need to know. That's why cooperation is critical to me—cooperation with the military services, the Joint Staff, the administration and the Congress. Because when we face difficult, sometimes painful challenges together, we get the best solutions.

We all want the same thing: that is, strong, well-trained forces with high morale and good quality of life that can deploy at a moment's notice if necessary to protect our national security. As we pursue this shared interest, we should take our cue from the senior military leadership, starting with the Chairman of the Joint Chiefs of Staff. They are devoted to carrying out the Goldwater-Nichols legislation with the overall goal of effective joint military operations. Each service and DOD agency contributes a special element that is combined by the CINC into a balanced, effective fighting force. Those of us who support strong, ready Armed Forces should approach our tasks as part of a unified national security team. I look forward to working with Congress in this spirit.

Chairman THURMOND. Thank you very much. We will now start the questioning.

Dr. White, there are a series of questions that are required to be answered by all nominees to civilian positions within the Department of Defense. Let me ask you those first, and then we can continue with some policy questions.

First, what positions have you held in the Department of Defense before you were nominated to be the Deputy Secretary of Defense?

Dr. WHITE. Mr. Chairman, I was the Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics in the Carter administration, and before that I served in uniform in the U.S. Marine Corps.

Chairman THURMOND. Have you adhered to the applicable laws and regulations governing conflict of interest?

Dr. WHITE. Yes, sir.

Chairman THURMOND. Have you given any authoritative advice pending your nomination?

Dr. WHITE. No, sir.

Chairman THURMOND. Have you assumed any duties or undertaken any actions that would appear to presume the outcome of the confirmation process?

Dr. WHITE. No, sir.

Chairman THURMOND. Have you made any decisions in relation to the Department of Defense prior to this hearing that would appear to presume the outcome of the confirmation process?

Dr. WHITE. No, sir.

Chairman THURMOND. Would you please describe your continuing relationship with Harvard University?

Dr. WHITE. Mr. Chairman, I am a lecturer, a member of the faculty at the Kennedy School at Harvard, and would propose to continue that relationship on the basis of a leave of absence from the faculty.

Chairman THURMOND. Do you receive compensation for that?

Dr. WHITE. No, sir.

Chairman THURMOND. You have a number of holdings with government contractors. Would you please explain to the committee what you intend to do with these holdings?

Dr. WHITE. Yes, sir. First, with respect to the Eastman Kodak Co., I have held a number of options on shares. I have executed those options and subsequently sold those shares. So I no longer own any shares of the Eastman Kodak Co.

In addition to that, I have a deferred compensation plan with Eastman Kodak which was instituted when I was employed there. We are told by the company that they will be able to bring that money forward and provide me with a lump sum payment sometime within the next 90 days. That will relieve me of any relationship with Eastman Kodak.

In addition to that, as a member of the board of directors of Wang Laboratories, I have held a number of options. I have executed those options and sold those shares.

In addition to that, as part of my investment portfolio, I have ownership in a number of companies which do business with the Department of Defense. I will make sure that I am divested of those shares in the appropriate time so that I will not own any shares of any particular companies that are doing business with the Department of Defense.

Chairman THURMOND. U.S. participation in U.N. peacekeeping operations has expanded under this administration. In my view, this emphasis on peacekeeping operations is fundamentally at odds

with the services' basic mission, which is to wage and win wars in order to protect the Nation and its vital interests.

How far can we go in relying upon U.S. forces for peacekeeping or peace enforcement without sacrificing their combat readiness and war-winning capabilities and seriously over-extending our resources?

Dr. WHITE. Mr. Chairman, I think that is a serious problem that we have looked at in terms of the Commission's efforts.

There is a point at which, when we introduce to many forces into peace operations or introduce forces for an extended period of time, we may degrade readiness. I think that is a concern.

We made a number of recommendations concerning ways that we could alleviate that by looking to other departments to contract out some of those services, and not to always look to the Department of Defense. Going into these operations, or making sure that we have devices for extracting defense forces quickly, in a timely way, will help insure we do not degrade readiness.

So I think there is an issue here, Senator, but I think it can be balanced.

Chairman THURMOND. Dr. White, your career includes significant experience in the private sector, as well as distinguished Government service. What practices from the private sector do you intend to import into the Department of Defense to improve its acquisition operations?

Dr. WHITE. Mr. Chairman, I think it is very important that we look to the private sector increasingly for our needs in terms of acquisition. We have a very robust private sector.

We have a situation in which, as the defense budget goes down, I think we need to rely more on the private sector in terms of its practices, in terms of the way they build things and in terms of the way we can adapt them.

So I think, as part of both efficiency and cost cutting, we ought to increase our reliance on private sector suppliers.

Chairman THURMOND. The political situation in the former Soviet Union is volatile and uncertain. Civil war and chaos could break out, and we could see the return to power of communists or extreme nationalist hardliners.

They are still armed with a considerable nuclear arsenal. If hardliners want to return to power, in your opinion, would that pose a potential danger to the Continental United States from ballistic missiles?

Dr. WHITE. Well, I think, Senator, as long as the Russians have the nuclear arsenal that they have, which we all have the objective of reducing, as long as that threat is there, I think it is a very serious threat that we need to be concerned with. And we need to do everything we can in order to alleviate that threat.

Chairman THURMOND. What level of national missile defense do you support?

Dr. WHITE. Senator, I have looked briefly at the program in the Department. The Department, as you know, has an emphasis on an aggressive program with respect to theater missile defense and a research and development program looking at national missile defense.

In my view, that is probably about the right balance at this time.

Chairman THURMOND. Dr. White, in October of 1973, the War Powers Resolution passed both houses of Congress. I voted against that resolution, and President Nixon vetoed it October 24.

I voted not to override his veto, but I lost, and the resolution is now on the books. Many believe it is unconstitutional.

Senator Dole has introduced a bill that will take out the unconstitutional portions of the resolution and retain the reporting and consulting provisions.

What is your opinion of the War Powers Resolution? And what do you think of Senator Dole's proposed changes?

Dr. WHITE. I am sorry, Mr. Chairman. I have not looked at that resolution in many, many years. I would have to go back and study it before I could give you a careful answer.

Chairman THURMOND. Would you mind doing that and then giving us your opinion about it?

Dr. WHITE. Yes, sir. I would be happy to, Mr. Chairman.
[The information follows:]

Senator Dole's bill has some attractive elements, particularly the repeal of the War Powers Resolution. There exist, however, some deep constitutional problems in respect to the consultation requirements, as well as with the effect on the President's powers as commander-in-chief to deploy U.S. Armed Forces and his authority to make and implement treaties. The major operational problems with S. 5 are the mandatory offset for indirect DOD to U.N. operations, and the restrictions on presidential discretion with respect to command and control of U.S. military units. S. 5 would be improved by striking or substantially revising these provisions as well as deleting the 15-day notice requirement on UNSC votes, removing the criminalization provision, and confirming that S. 5 is not intended to restrict the ability to draw on DOD general appropriations to support U.S. participation in U.N.-sanctioned operations. Needless to emphasize, we also need to ensure that all of the President's constitutional prerogatives are protected.

Chairman THURMOND. Dr. White, many Eastern European and former Soviet nations are now looking to NATO to deal with their security concerns. Several of these nations have indicated a desire to join NATO.

Should we encourage these nations to join NATO? And if so, what conditions should we consider before allowing them to apply for membership in NATO?

Dr. WHITE. Mr. Chairman, I think a strong NATO is at least as important, if not more important, now than it was in the past. I recognize that there are a large number of countries, many of them in the former Soviet bloc, who would like to join.

My understanding is that there is a lot of work going on now, first with the question of whether there ought to be such an expansion, and if so, how. And then later, who exactly ought to be invited to be involved and join NATO.

It seems to me that those are the appropriate steps to take. That ought to be done in a timely way.

I understand that it is being done in a timely way and that people will have the answers to those questions in the Department sometime within the next several months.

Chairman THURMOND. Senator Nunn.

Senator NUNN. Thank you, Mr. Chairman.

Dr. White, in response to the committee's pre-hearing questions, you stated that you would participate in the Department's consideration of the Roles and Missions Commission recommendation, is that right?

Dr. WHITE. Yes, sir.

Senator NUNN. Now, what kind of mental framework will you have when you approach that? You are wearing one hat over here, and you lean on the recommendations your commission made.

Are you going to be reviewing those independently, objectively, and taking a fresh look, or are you going to be an advocate for the Roles and Missions studies' conclusions? Where are you coming down on that?

Dr. WHITE. That is a good question, and one I have thought a good deal about, Senator. I think I have to maintain my own objectivity and openness in terms of those recommendations.

In my career, I have been both a consultant and an operator. And when you are an operator, you see things differently than you do as a consultant, and you have different responsibilities.

In addition to that, for a year we had a small staff working with the 11 commissioners giving advice on a vast number of subjects. There is a lot more to be heard about that, and the Department is putting together its answers.

So I am going to work very hard to learn from the Department what their point of view is on these issues and be objective in terms of my own deliberations.

Senator NUNN. Are there any recommendations the Roles and Missions Commission made that you would feel so dedicated to that you could not take an objective, fresh look?

Dr. WHITE. No, sir, I do not believe so.

Senator NUNN. One conflict, for instance, appears to be relating to the emergency supplemental appropriation request. On that one, the Commission says that "continued use of a emergency supplemental appropriation request appears preferable to creating special contingency funds, all requiring advanced congressional approval of any non-routine movement of military forces."

That is a quote.

This appears to be, at least on the surface, in conflict with one of Secretary Perry's principal legislative proposals, which is the authority to incur readiness obligations in excess of appropriations in the last two quarters of a fiscal year.

Will you be reviewing that with an open mind?

Dr. WHITE. Yes, sir, I will.

Senator NUNN. I have a number of questions relating to the governmental depots and the private sector.

First of all, the Commission recommended that "DOD outsource essentially all DOD commercial activities and that all new beginnings should be channeled to the private sector from the beginning."

But the Commission report is not accompanied by any analytical documentation supporting these recommendations.

Did the Commission conduct a comprehensive analysis of specific DOD functions to determine what should be privatized, or does this recommendation reflect generally a philosophical approach, rather than an analytical approach?

Dr. WHITE. I think it is somewhere in between, Senator. We talked to a large number of people. We got studies from the Department. We got studies from the contract research centers.

We did some analyses of our own on these issues. We did them in terms of the categories we thought were good candidates for outsourcing.

We did not do detailed analysis of any particular work levels, for example in depots or anyplace else.

Senator NUNN. That would have to be done before you could conclude to follow the Commission's recommendations, would it not?

Dr. WHITE. Absolutely. That would have to be done. There has to be a careful review of that work and where the private sector has the capability with multiple firms, so that you have competition.

In addition to that, you need to make sure that you have public employees who are skilled in contract oversight for those kinds of activities.

So that will take some transition, Senator.

Senator NUNN. The Air Force position on the Air Force logistics bases, is to keep all five of them open and downsize them. If you were going to move in this direction, the way you have advocated, even if you did not move but part way, it would certainly have a material bearing on the Base Closure Commission deliberations. You would be keeping, in effect, five Air Force bases with a rather significant downsizing going far beyond what is now being programmed.

So there are things that are here that are way out of sync, assuming we do not have a Base Closure Commission again for some time. I am concerned about that.

The Commission recognized that not everything should be privatized and that "inherently governmental functions" should remain in-house, along with specialized activities for which no private capability could be reasonably developed.

In this recommendation, did the Commission have in mind a specific definition of what constitutes an inherently governmental function, or did you go into that?

Dr. WHITE. We went into that but not in great detail, Senator. I think, for example, oversight is an inherent Government function; that is, contract administration and oversight, letting contracts, dealing with the private sector.

There are areas where I think the military would not be comfortable relying on contractors for particular functions, because they are too close to the warfighting capability. And I think we obviously ought to listen carefully to that.

So I think there are a number of situations or circumstances in which there are inherent functions that the Government needs to perform that you cannot let out to a contractor.

Senator NUNN. Did you look beyond whether or not an activity is commercial? In the past we have looked at things beyond that.

Did you and the Commission, for instance, take any look at the need for surge capability involving specialized facilities?

Let me ask you about each one of these and then come back. The need for surge capability, the need for a readily available trained work force to meet surge requirements, the predominance of military judgments on matters such as readiness and sustainability and establishing manpower, budget and workload levels of facility,

the consequencing of having to rely on a sole source private sector entity for operations of a big logistics facility.

Did you look at any or all of those, or was your basic recommendation based on more, again, of a philosophical approach?

Dr. WHITE. It was more philosophical, although we did consider the issue of surge. We discussed and talked with people about historical experience in terms of surge, where, as we know, in some areas, the private sector has provided very good support for the Department. Of course, that is linked to your training question.

With respect to readiness, we think readiness is the number one priority. Therefore, it is a judgment that I think has to be made by the commanders in terms of whether or not outsourcing degrades the readiness. I think, again, we have a set of areas where that is not the case.

We did not look specifically at the manpower or manning issue that you mentioned. We did look at and discuss sole sourcing and the problems that are inherent with that particularly in a thrust where we are trying to get competition, not sole sourcing.

I think we mentioned in the report there are some difficulties that have to be treated in some specific ways.

Senator NUNN. So in each one of those areas, you really are going to have to go, with the DOD hat, on, into much further analytical basis before you will be able to really affirmatively recommend, with your DOD hat, that these Roles and Missions recommendations be implemented.

Dr. WHITE. Yes, sir. That is correct.

Senator NUNN. Did you undertake a detailed analysis of the efficiency and effectiveness of current depots?

Dr. WHITE. No, sir. We did not.

Senator NUNN. You did not do that. Mr. Chairman, I think my time has expired. Thank you.

Chairman THURMOND. The distinguished Senator from Maine.

Senator COHEN. Thank you, Mr. Chairman.

Dr. White, the Chairman indicated in his remarks about the controversy over Bosnia, which will continue to, I think, be a center of attention for this administration and the Congress itself.

I think all of us are still caught up in the golden afterglow of Captain O'Grady's heroism and, as Senator Nunn mentioned, the team that rescued him.

I would like to explore the issue with you. Perhaps we can explore it in depth at some future time. But a situation, for example, when a commander on the ground is in danger, and he requests air support in the form of an attack, and that request is denied by a base commander who expresses the belief that that might in fact provoke the very people who are launching the attack against those who are on the ground.

Is that, namely a base commander, reaching a decision to deny support, in your judgment, a political decision?

And if you could maybe articulate your view regarding at what level that political decision is made in advance? Is it something that is worked out?

What kind of discretion is given to the base commander, as such, who would exercise that veto over the request? Could you give us your views on how that should unfold?

Dr. WHITE. Well, first, Senator, it seems to me that our number one priority ought to be making sure that we have done everything possible to minimize the dangers that are faced by our Armed Forces in these situations. That is number one. And I think if we cannot satisfy ourselves in terms of the political arrangement that that is the case, then we should not get involved.

Second, at the end of the day, these are inherently political issues, and they have to be dealt with in a political context.

But at the same time, it seems to me there is a great premium to be put on letting the commander in the field, the person on the ground with the combat military experience—as is my understanding was the case with the rescue of Captain O’Grady—we need to turn to those people for advice in terms of what ought to be done.

Senator COHEN. Well, that is something we can explore later.

Dr. WHITE. Yes, sir.

Senator COHEN. My understanding is that there is some question as to whether or not a request for assistance was made and denied. And I think at some future time, we ought to at least see what rules of engagement are adopted by the military.

I raise this because in your statement, you indicate, as part of the team, you need to assist the Secretary in answering the profound question of whether to use force by helping to make it clear what American interests are at stake, whether force can or should be used to protect those interests, and what level is necessary, if it must be used.

Dr. WHITE. Yes, sir.

Senator COHEN. So you are going to play a key role, and I think we are going to need some guidance in terms of under what circumstances force can or should be used.

It comes up in the context of the U.N. versus NATO peacekeepers and the people on the ground requesting assistance and being denied by the U.N. officials.

It will come up, I am sure, in terms of what role, if any, we are going to play in helping to remove U.N. forces or helping to extricate, whatever the case may be.

I think we should save it for another day and not today.

Dr. WHITE. Yes, sir.

Senator COHEN. We will go on to explore it with you at a later time.

I would like to follow up on what Senator Nunn was talking about, because in the report that you filed on Roles and Missions, the GAO has issued some rather critical comments. I will just read a few of them, and then perhaps you can respond.

With respect to the notion that the depot maintenance should be privatized, GAO has indicated, “The implication is that the same services can be obtained for less in the private sector, but the Commission provides no support for that assertion.

In fact, the Commission report seems to gloss over the fact that the military and weapons system acquisition support environment is not a typical free market situation.”

Then second, the GAO indicates “The Commission appeared to brush aside the military’s long-standing position that in some cases, it is essential to retain a core logistics capability within

DOD. Yet the Commission report failed to provide any data to support why this is no longer a legitimate military requirement."

Then the third point the GAO makes is that a recent GAO query of several of the military services identified problems with recent contractor performance. It would lend support to the prior DOD position that some level of depot maintenance is still needed.

"These included, one, unacceptable contractor schedule; two, poor quality of contractor work; three, lack of contractor capability in the private sector in a given area; four, contractor costs significantly higher than organic repair; and five, contractors having limited ability to surge to meet the support requirements."

Another point of GAO was, I think, critical, "that typically defense contractors have only been interested in depot maintenance work where there is a large, consistent, clearly defined requirement for repair of modern equipment. Unfortunately, much of the depot maintenance workload supports small numbers of older technology equipment where the repair requirement is sporadic, not clearly defined or where technical data may not be available or current."

The next point would be "the Commission report seems to take the position that it is intuitively obvious that the private sector is cheaper even though the depot maintenance environment is not a free market situation. Our analysis indicates the public sector is often cheaper for depot maintenance workloads where there is not full and open competition."

Finally, GAO indicated that they have a report called, "Aerospace Guidance and Meteorology Center," concerning cost growth and other factors affect closure and privatization.

That report noted that in attempting to privatize a large multi-commodity depot facility, they had serious questions about costs exceeding the cost of operation, obtaining proprietary data to facilitate competing workload, et cetera, may not be able to precisely define the workload resulting in more costs at the private level than the public one.

So I would like for you to review the GAO comments about the report because it indicated that you reach fairly broad sweeping conclusions without much detailed analysis to support it.

As Senator Nunn indicated, before taking any action to actually implement such a report, we would hope that you would furnish the committee, certainly, both committees, House and Senate, with a detailed analysis that would justify and support what you have recommended in the report.

Dr. WHITE. Yes, sir.

Senator COHEN. Just by way of a comment, Mr. Chairman. Do you care to offer any rebuttal of the GAO?

Dr. WHITE. Well, let me say a couple of things, yes. First of all, I think we were clear, or tried to be, in the report that we were talking about situations in which there is a market; that is, where there are several competitors. If there is not a market, then you have a different set of issues.

Second, it seems to me that largely what we are supporting here in principle is already, and has been for many years, Government policy, and that is that the Government should not compete with its citizens, and we ought to provide private sector opportunities where we can.

With respect to the issue of core, this is an elusive concept. But as I indicated to Senator Nunn, I think it is critical that there are a set of functions that must be done inside the Government. And work needs to be done to define exactly what those are. So I think all of that is important.

You mentioned contractor performance. Contractors can mis-behave or mis-perform just like anybody else. And that is why I would stress training and oversight and good contract administration.

You mentioned defense contractors not being interested in some of this work, and I think that is true. But our recommendations are not directed to defense contractors alone, but to the private sector in general, where there is a good deal more.

Finally, with respect to free markets and full and open competition, let me just underline again I think that is the point. I think if you do not have free markets and open competition, then you have a real problem with any of these transitions.

Senator COHEN. Mr. Chairman, could I just indicate my time has expired, but that I have had an opportunity to review the background report of Dr. White, and the only critical information in the file were photographs taken of him at Harvard. I promise that these will not be held against him. [Laughter.]

Chairman THURMOND. Thank you very much. Senator Kennedy.

Senator KENNEDY. Thank you, Mr. Chairman.

As you mentioned, Dr. White, nuclear weapons in the hands of the Soviet Union, or, I imagine, in any country with uncertain leadership or which is a potential adversary of the United States, is a danger to our security.

Over the past 4 years, we have had the Cooperative Threat Reduction Programs with the Soviet Union for the dismantlement, dis-storage and destruction of nuclear and chemical weapons in Russia, Ukraine and other Soviet successor states.

Will you be involved in overseeing that implementation?

Dr. WHITE. Yes, sir. I will.

Senator KENNEDY. And what is your own view of the effectiveness of those programs?

Dr. WHITE. I do not know a lot about them, Senator, but clearly, these are very, very important. It seems to me that if we can spend a few million where we used to spend a few billion, this is money well spent. So I think it is important that we aggressively implement those programs.

Senator KENNEDY. Do you have a view about whether support for those programs should be linked to other aspects of U.S. relations with Russia and other successor states?

Dr. WHITE. Yes, sir. It seems to me that this is a very important area, and if we can find ways to make progress here, it is so important that I would be concerned if we only did that by conditioning it on some other issue in some other policy arena.

Senator KENNEDY. One of the initiatives in the Department right now is the so-called revolution of military affairs, and I want to get to how that is related to your own Roles and Missions report. This is under the leadership of Admiral Owens.

The initiative seeks to take the high-tech advantage our military enjoys over other nations, raise it to a higher level. It seeks to de-

velop advanced weapons technologies, information systems, and manufacturing techniques and integrate them into a single system in a way to make our military to the next level of warfighting capability.

Do you have a view about the initiative? And could you tell us how it relates to the recommendations you have made in the Roles and Missions report?

Dr. WHITE. Yes, sir. First of all, I have spent a good deal of time with Admiral Owens on these initiatives, because I think they are critically important. And I think he is doing a brilliant job of leadership here from the Department's and the country's point of view.

Second, it seems to me, as the world is changing rapidly, as we are coming down and have come down in our defense forces, it is critical that we look to this kind of leverage, because along with the best men and women we have and can train, we need to have the best technology.

Since we have an advantage in technology over many other countries in the world, we need to stress that advantage. And that is inherently what is happening in the program that Admiral Owens is overseeing. So I am a very strong supporter.

Senator KENNEDY. And how does it relate to your own Roles and Missions conclusions? Does it fit in?

Dr. WHITE. Yes, sir. It fits in very importantly. One of the conclusions that we found is that we need to make sure that the Department has a system of review in which the requirements that are delivered by the services are cast in the larger context of what is needed for the country, so that we do not get into a situation where we have redundant weapon systems which cost too much, simply because the services have developed them for their own good use, but they have not considered how they integrate with other weapons programs.

Much of what Admiral Owens is doing and much of what we suggested in terms of the decisionmaking reforms in the Department go to that subject; that is, to increased oversight and better requirements definition with respect to the start of new programs.

Senator KENNEDY. Finally on the dual use technologies, you commented on that earlier. It appears that a number of years ago the greatest resources for research and development were in the major companies and corporations.

Now, with the changes both in the defense budget and what we have seen, the proliferations of new technologies that have developed, particularly developed by a lot of the smaller companies which are out there and that are now being utilized, there is real advantage, both in terms of the course, as well as the new technologies in these dual use technologies.

I am just wondering if you could expand on that briefly, because I think it is enormously important. I am not sure that we as a society understand both the cost savings for the Defense Department and our national security and also the advantages that are available in terms of the utilization of these new technologies and keeping us at the cutting edge of technological advancement in terms of weapons systems.

Dr. WHITE. Yes, sir. We are living, of course, in a world of very high rates of technological change. Most of that technological change is taking place, as it should, in the private sector.

Having been a CEO of a high-tech company, a software company, I will tell you, if you are not doing business with the Government—and most of these companies are not—you are not concerned with these particular applications.

Yet, there is an extraordinary opportunity here for, as you said, dual use, for finding ways to adapt these technologies and products for DOD use.

So I think the Department has and should continue to have an aggressive program for searching out these capabilities and for finding ways that we can leverage the private sector and adapt them into our uses in weapons systems and other technologies.

Senator KENNEDY. Very good. Thank you very much, Mr. Chairman. Thank you, Doctor.

Dr. WHITE. Thank you, Senator.

Chairman THURMOND. Thank you, Senator Kennedy. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Dr. White, in reading your printed testimony, I found a few things on which I agree in various degrees with you and some on which I disagree.

I think on page three, when you prefaced a conclusion by saying, "While the world is indeed safer and the United States more secure," there are a lot of us who really do not believe that we are safer and more secure now.

I think Jim Woolsey made the statement that there are somewhere between 20 and 25 countries that either have or are developing weapons of mass destruction and the missile capability of launching them.

First of all, do you agree with his statement?

Dr. WHITE. With Jim Woolsey's statement?

Senator INHOFE. Yes.

Dr. WHITE. I will take it on faith from Jim that that is true. I do not know that personally, Senator, but sure.

Senator INHOFE. Well, with that being the case—now, I do agree with that, and I think it has been pretty much substantiated by advocates on both sides.

When the Chairman asked you about the theater and the missile defense system that is being developed, I think your response was that we are currently working on the short-range and the theater missile defense and are on schedule to have a national missile defense.

Let's just take the ABM Treaty and set it aside and act like it did not exist.

Dr. WHITE. Yes, sir.

Senator INHOFE. In terms of just the protection of our country, when do you think that we should have a national missile defense system in place?

Dr. WHITE. Senator, I am not sure that I can give you a date today. I think, as you said, there are a lot of threats out there. My own view is that the most immediate threats are theater threats, and we ought to work on those as our first priority.

Now the second priority, but certainly a priority, is national missile defense. My understanding is the Defense Department is doing that, although, as you well know, not, as I understand it, currently building systems.

So I guess I would have to defer, sir, in terms of the exact time or condition in which we ought to accelerate that program.

Senator INHOFE. There are some of us in both the House and the Senate Armed Services Committee that feel that we are not ambitious enough in our program, in advancing our technology and our abilities in missile defense.

In fact, there will be a program that will be offered that will throw some more money into it that would accelerate the ultimate goal of a national defense system using, of course, THAAD and AEGIS and some of the technology that we already have about a \$50 billion investment in.

In your new capacity, if we were to decide from our end that that was in the best interest of the security interests of the United States, would you have any reason to object to an accelerated system?

Dr. WHITE. No, sir. If that is the law, that is certainly what I would be pledged to uphold and to execute.

Senator INHOFE. There is a discussion that has taken place on some of the maintenance being privatized. I guess I should preface this by saying that many years ago, when I was mayor of a major city, I was the great privatizer. I mean, if it moved, I privatized it. And it was always very successful.

But I was not dealing with matters of national security. And you have already addressed some of the concerns on both sides, but first of all, we currently have in our law the 60/40 in terms of the split between the organic and privatization in our maintenance program.

Do you think that should be changed?

Dr. WHITE. Yes, sir, I do. I think that is an artificial constraint, Senator, and we ought to look at these issues on the merits, as I had indicated earlier in my response to Senator Nunn's questions.

Senator INHOFE. Okay. However, how heavily would you weigh, in your decisions on what to do with this maintenance change, the Nation's security and the role of our state of readiness and ability to maintain our strategic vehicles?

Dr. WHITE. I think that is the fundamental issue. The first and major priority has to be our readiness. And as I indicated earlier, it has to be military judgment in terms of whether or not outsourcing would in fact jeopardize that in any way. And if it would, then we should not do it.

Senator INHOFE. And also, I would assume that you would consider as a major factor in making any changes or any decisions for changes the investment that is there currently in maintenance facilities that we already have very large amounts of tax dollars in.

Dr. WHITE. Yes, sir. We mentioned that in the report, and that is absolutely right. And also, of course, the people. I mean these are valuable people.

They have worked hard, and they are good employees of the Government. And I think we, in any of these transitions, have to take great care and make sure that they are treated fairly.

Senator INHOFE. You had mentioned that you were going to copy some of them with some of your ideas, specific ideas, on maintenance. I would like to be involved in that, also.

Dr. WHITE. Yes, sir.

Senator INHOFE. All right, sir. Thank you very much.

Dr. WHITE. Thank you, Senator.

Chairman THURMOND. Senator Coats.

Senator COATS. Thank you, Mr. Chairman.

Dr. White, welcome.

Dr. WHITE. Thank you, Senator.

Senator COATS. I was looking over your impressive list of qualifications and experience. I think you will need it all when you officially begin your duties at the Department.

Let me just ask you two or three questions, some related directly to the Personnel Subcommittee, which I chair. We are just about ready to move into our markup, and so I would like to get some of your perspective on these questions.

I was appreciative of the fact that you served as Assistant Secretary of Defense for Manpower and Reserve Affairs back in the seventies and of your statements relative to readiness, quality of life and the role that adequate housing plays in that.

You specifically made the statement that our troops today are the very best qualified and the very best trained and have the very best equipment. They are the most capable military force the world has ever known. I could not agree more with that.

What struck me lately is a disconnect in that whole scenario. I look directly in the eyes of our troops, and I understand their commitment, the quality and intensity of their training, the equipment that we give them to use, and the standard of excellence which we apply to almost every aspect of their lives. Compare that with the housing that we provide for them, whether it is single soldiers or their families. There is a huge disconnect.

We strive for excellence in everything we do in the military. Yet, it is almost disgraceful how we ask them to live off hours and how we ask their families to live.

You had an extensive discussion of military housing in your statement, and I appreciate that. And I know that you urge us to adopt the Secretary's military family housing revitalization initiatives.

Dr. WHITE. Yes, sir.

Senator COATS. You also say much more needs to be done. I wonder if you could just comment in this general area about what more needs to be done. I think this is an important first step that the Secretary has taken, and I appreciate that.

As you know, however, it only scratches the surface in terms of a 30-or-so year effort, if we could keep funding it at the current level.

Dr. WHITE. Yes, sir. Let me just say I agree with everything you have said. And I think all of us who have been involved in these decisions over the years share some blame for the problem, because we have let it go on for a very long time. And of course, it just gets worse and worse.

The second point I would make is that I think in order to do what is right, we need to correct this. And it is going to be a long-

term program. We are not going to solve this in one administration, or two administrations, or a few years. So there has to be a major effort.

Third, I cannot give you all of the specifics, but my understanding, for example, is that least the initial proposal from the administration has to do with family housing. There is also a concern that I have, and I am sure the Secretary shares, with respect to barracks, to single people's housing.

In my experience over the years, when I go to bases, I always make it a point to go talk to people about their housing. And as you said, I often come away embarrassed. So I think we also need to ask the people what it is they think they want.

I think sometimes you find they want things that we may not have thought of: bowling alleys, gymnasiums, other kinds of things which they need, day care centers.

I have had the privilege of serving as a member of the Air Force Aid Society. There is an enormous number of needs out there on the part of our military men and women and their families.

So I think we need to keep an open mind and try to be innovative about how we can make the improvements that they think are important.

Senator COATS. Well, I look forward to working with you on that. I hope that you will maintain that as a priority. I think the Secretary has come up with some creative solutions to this through working with the private sector.

I think we need to explore this even more, and leverage the dollars that we have. Because I think, as you and I both know, we are at crunch time in terms of how we allocate the resources and dollars that we have.

Dr. WHITE. Yes, sir.

Senator COATS. It is going to be very easy to slip housing another year or another 2 years or another 3 years, because there is going to be a real push for diverting those funds into what appears to be higher priority needs.

But you have made the link in your statement between readiness, quality of life and the relationship of housing to quality of life. I hope that you can keep that perspective.

Dr. WHITE. Yes, sir. I intend to, Senator.

Senator COATS. I noted that you served as Vice Chairman of the Concord Coalition.

Dr. WHITE. Yes, sir.

Senator COATS. I also noted that in the questions that the committee submitted to you, in response to the question about your assessment of the impact of a balanced budget amendment and the ability to provide for the common defense and to properly manage programs of the Department of Defense, you said that such an amendment would have an impact on defense spending and that it would "be very vulnerable under such an amendment.

"Major DOD reductions to balance the budget could jeopardize the Department's ability to meet mission requirements."

How do you square that statement with your service to the Concord Coalition and the twin goals here of achieving some fiscal discipline in Congress, balancing our budget, and also meeting our defense needs?

Dr. WHITE. Well, I think we can square those goals, Senator. I have had this concern for a good many years and been active in various areas, including Concord.

The issue is one of balancing the budget, or even in some cases, I would argue, doing better than balancing the budget and running surpluses in some years.

That seems to me fundamentally important and a national goal that we ought to achieve. I think we can do that while maintaining a strong defense. I do not think we need to do that at the expense of the national security budget.

It is a portion of the total. Everything ought to be on the table. But my analysis—and I have done several of these balanced budget exercises, where you go through the various programs—is that they can be done fairly and equitably and still preserve defense.

Senator COATS. Well, that is a goal I think most of us share, and I would suggest, and I am sure you would agree, that a lot of it has to do with defining what the proper role of the Federal Government is and assigning priorities and allocating our resources accordingly. That leads me to my third question, and that is on the issue of privatization.

I will start with health care. As you know, the services are undertaking a very significant reorganization of the military health care system called TRICARE.

TRICARE is akin to a more managed care situation, but it involves three levels of choices. How do you assess that in relationship to your thoughts about privatizing health care functions?

Dr. WHITE. We spent a lot of time on this issue because it is so important to the people and the obligation the government has to the people. The Commission thought that TRICARE was a good start, but that the Department ought to go further.

We made a recommendation, Senator, that there ought to be more choice, that our people, when looking for care in all areas, ought to have the opportunity provided by the Department in programs that would not necessarily use DOD facilities but literally would give people other options, and that those options would be done fairly in terms of how the costs would be recovered.

But it would go further than TRICARE which, to my understanding, does not give as many options as we thought would be appropriate, particularly in a whole number of areas. That is, TRICARE does not cover the whole country in terms of all beneficiaries and give them those options, although it goes in that direction.

So we were more aggressive in terms of providing those choices. I think if you do that (a) you are serving the population better; and (b) you will get a lot of information back; and (c) I think, you will be able to cut costs over time.

Senator COATS. I look forward to working with you on those recommendations.

My time has expired, but, Mr. Chairman, I had some questions relative to the Roles and Missions Commission's report on the role of the Army National Guard divisions. I will submit those in writing for your response.

Dr. WHITE. Yes, sir. I would be happy to answer them, Senator. Thank you.

Senator COATS. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Warner.

Senator WARNER. I think John was here before I was, Mr. Chairman.

Chairman THURMOND. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Secretary White, I want to congratulate you on your willingness to serve, and I have every confidence, as I am sure all this committee does, in your ability and dedication of doing an outstanding job. We are pleased that you have, again, expressed a willingness to serve.

My congratulations to you, and I look forward to working with you on the many issues that your predecessor and I worked on.

Dr. WHITE. Thank you, Senator.

Senator MCCAIN. In your opening statement—this is not very important, but in your opening statement, you said, "In particular, I will continue to support the full military pay raises allowed by law. Last year, Secretary Perry went to the mat to ensure these pay raises, and it was worth the fight."

Who did he go to the mat with?

Dr. WHITE. I think that largely was an internal, inside the administration, wrestling match, Senator.

Senator MCCAIN. Okay. Thank you.

In terms of BRAC, Mr. Secretary, do you believe that we are going to need another round of base closing?

Dr. WHITE. Senator, we need a breathing spell to reassess it, but if you ask me sitting here today, my sense would be we probably will need more downsizing as time goes on.

That is consistent with the recommendations the Commission made with respect to outsourcing. So in three, four, or five years, I would expect it would be necessary. Yes, sir.

Senator MCCAIN. Were you somewhat surprised, as I was, that the initial recommendation that came out of the Pentagon, as far as the size of the list is concerned, was considerably smaller than had been anticipated?

Dr. WHITE. I had not been at all, obviously, involved in any of that. I, like you and others, anticipated a larger list.

Senator MCCAIN. Two of the biggest problems we are running into in that area, are base cleanup involving costs and time which has far exceeded our expectations, and the time frame involved in turning over these bases to the local community, or whoever it is that uses them.

I hope that you will take a look at both of those problems, as they are far more significant and severe than we had anticipated.

Dr. WHITE. Yes, sir. Absolutely.

Senator MCCAIN. Are you familiar with our policy in Bosnia, as far as the suppression of surface-to-air missiles is concerned?

Dr. WHITE. No, sir, I am not.

Senator MCCAIN. You have not been engaged in any of those discussions.

Dr. WHITE. No, sir.

Senator MCCAIN. I have read the Roles and Missions report and I think it is an excellent report and one that is an important contribution as we continue this debate and discussion as to what

roles and missions of the respective services should be as we downsize the military, and I applaud it.

How do you react to recent criticism that says there was really nothing controversial in the Roles and Missions report?

Dr. WHITE. I am pleased to get that question, Senator. Our goal was to see what we could do in this to change and, as you say, in the context of the continuing debate, to improve the military effectiveness of our forces. We have the finest force in the world. We all need to work to keep it that way.

If I may say so, I think there is a certain desire on the part of the press, in particular, to have spectacular if unimplementable proposals that will then cause some theater so that they can write about the theater. I do not think that furthers our national security interests at all.

What we need is measured change, building on our strengths. And our 161 recommendations, I think, do that and do that in a responsible way.

Senator MCCAIN. Well, one of your recommendations concerning privatization of the depot maintenance is something that I hope this committee will look at with great approval, because I think it is one thing that we should get into.

How do you react to the criticism that there are still four air forces in our military establishment?

Dr. WHITE. We spent a lot of time on that issue, Senator. Where we came out is that it is not an issue of the particular tail number of an aircraft. The issue is whether or not we have the aviation assets that we need for the country.

The services employ them differently. These assets are highly versatile, as you well know, and it does not strike us that there is any advantage to be obtained by somehow artificially constraining a particular service in some particular way.

But the real issues are two. One, that we do a more efficient and effective job of maintenance of these aircraft, which we make recommendations about; and second, going forward, that we are careful with respect to the requirements that we have and that we do not build redundant capability.

Those strike us as the real issues, not whether or not each of the services has an aviation capability.

Senator MCCAIN. Thank you. Again, my congratulations on your selection, and I look forward to early Senate approval so you can get to work.

Thank you very much, Mr. Chairman.

Dr. WHITE. Thank you, Senator.

Chairman THURMOND. I have another appointment, and I am going to have to leave.

Senator Warner, if you would take the chair over.

Before I leave, I want to mention this. I have two questions from Senator Dole that he would like to have answered by Dr. White.

I ask unanimous consent that they be allowed to be submitted for the record. If there is no objection, that will be done.

Chairman THURMOND. Dr. White, would you make certain that you answer these questions as soon as possible?

Dr. WHITE. Yes, sir.

Chairman THURMOND. I have one question that I would like answered now and some others I will submit and you can answer for the record.

Dr. WHITE. Yes, sir.

Chairman THURMOND. Dr. White, I have been examining the case of Admiral Kimmel for some time now. The question at issue centers on whether Admiral Kimmel and General Short should be held accountable for the United States not being prepared for the attack on Pearl Harbor.

Dr. Deutch promised a speedy resolution, as did Secretary Dalton. And this issue needs to be resolved during the 50th anniversary of the end of the World War II. I would like to have your assurance that this will be done.

Dr. WHITE. Yes, sir. You have my assurance. I have looked into that and been told that the effort is well underway, and we will meet your deadline.

Chairman THURMOND. I want to mention this, too, that I understand the evidence shows that the White House knew about this attack coming on and did not notify Admiral Kimmel or General Short.

Would you please take that into consideration, because if they had the information and did not pass it on, it seems the admiral and the general should not have been held responsible?

Dr. WHITE. We will take that into consideration, sir.

Chairman THURMOND. I thank you very much. And now I am going to turn the hearing over to Senator Warner.

Senator WARNER [presiding]. Thank you, Mr. Chairman.

Senator Levin, in rotation, would be next. Senator?

Senator LEVIN. Thank you, Mr. Chairman.

Let me add my welcome, my congratulations, best wishes, and say that I look forward to working with you.

Dr. WHITE. Thank you, Senator.

Senator LEVIN. There was an article in The Washington Post which I am sure that you read last month, that restated what a lot of people already knew about the problems with the Department's financial accounting systems.

We are making overpayments to contractors in the hundreds of millions of dollars. We have billions of dollars that we cannot say with certainty as to how we spent. We are confident, we think we are confident, that it was not improperly spent, but we cannot say how it was spent, with any certainty, at least.

The financial systems are immense and are a mess, as well as being immense. We have a controller who is working very hard to change them, to modernize them. And I have congratulated John Hamre for his efforts. But nonetheless, we have to keep as much pressure on for change as we possibly can.

We have a system where it costs \$250 to process a travel voucher. You can travel from here to Chicago for \$100, but it costs \$250 just to process the voucher. We have billions of dollars in inventory we still do not need, despite some progress in that area.

We have some waste and inefficiencies that we must address, both on the financial accounting systems, as well as on the inventory issue.

My question to you is whether or not, in order to keep putting pressure on for reform, we have to simply close the spigot somewhat.

Is there any other way to force reform except through the power of the purse, reducing the amount of money that goes into fund these systems?

Dr. WHITE. Well, I think there is, Senator. Let me say that the Secretary and I have talked about these issues and agree that to work with John Hamre and others will be a top priority for me, if I am confirmed.

This is a long standing problem. We did not create this problem overnight, and we are not going to solve it overnight. It is going to take some money to solve it. It is going to take some technology to solve it.

I think in my brief conversation with John Hamre about it, he is on the right track in terms of working the systemic problems, not just the evidence of the problems. But it is going to take a long time.

I intend to work on it hard, and I would be happy to come back and report to you and, hopefully, gain your confidence that we are doing the right thing.

Senator LEVIN. In your Roles and Missions report, you have made a recommendation that the Defense Contract Audit Agency be placed with the Under Secretary of Defense for Acquisition and Technology, that it be shifted away from the Comptroller's Office.

Now this is the opposite of what has been recommended for the DCAA in every previous study, which has always said that it ought to remain independent of the acquisition structure. It should not be part of the acquisition structure.

I refer you now to at least four different times where this issue has been raised.

We had a hearing on the establishment of the Under Secretary of Defense for Acquisition in 1986. We had a GAO report in 1991. We had a DOD IG comment at a hearing in 1992. Those are just three of the most recent times.

Let me, perhaps if I can put my fingers on it, read you a comment from the Inspector General in 1992. This is what Mr. Vander Schaaf said about the DCAA.

"The DCAA is an independent financial advisor to contracting officers in the evaluation and negotiation award of new contracts and post-award audits." Independence is critical to the accomplishment of the DCAA mission, because auditors must be free to determine the scope and the depth of the audit without undue external influence. "Thus, the DCAA deliberately was not placed within the Department's acquisition structure. Instead, the agency reports to the controller. And this arrangement has been satisfactory since the 1960s, and we support its continuance."

Now, that is the IG speaking as recently as 1992. And yet, in your Roles and Missions report, you recommend that we move it from its more independent location at the Comptroller's Office and put it into the acquisition structure. Can you explain why?

Dr. WHITE. Yes, sir. Our general theme here in regard to these activities is that there ought to be more and closer cooperation, that the government ought to look to the model of the private sec-

tor, not in terms of not continuing its independence and exercising its responsibility, but rather that there are ways that we can cooperate.

Rather than have a mentality that tries to find out where people are breaking the rules, we all ought to work together, and DCAA ought to work in particular with the private sector and private sector auditors in terms of finding ways that we can improve the whole process.

So it is thematically part of our concern that we had better adapt private sector practices and that we look for ways to cooperate and improve efficiency while maintaining independence.

Senator LEVIN. Well, except there is a loss of independence here. Did you check with the Inspector General on that issue prior to the recommendation?

Dr. WHITE. I do not know if the staff did or not. We did not have a discussion about the Inspector General on that issue.

Senator LEVIN. I think it would be useful for this committee, Mr. Chairman, if we would ask the Inspector General to comment on that portion of the Roles and Missions report. This is not a part of the nomination process.

Senator WARNER. Senator, if you wish to initiate the letter, I am sure that the Chairman and the ranking member will—

Senator LEVIN. Thank you, Mr. Chairman.

When we chatted in my office, Dr. White, we talked about nuclear posture review and the question of a hedged strategy which keeps a lot of weapons in an inactive reserve status. At the hearing that we had on START II last month, General Shalikashvili and Under Secretary Slocombe both testified that the START II force level of 3,500 deployed warheads would be more than sufficient to cover all of our deterrent and targeting needs under the worst assumption.

That is what General Shalikashvili's testimony was. He also testified that Russia is well ahead of schedule for START I implementation, even ahead of us, and shows every sign of implementing START II.

Now here is the issue: if Russia is ahead of schedule in terms of implementation and if the 3,500 level is more than enough already to cover all the turn and targeting needs under the worst assumptions, the question is why we have to then maintain additional weapons in an inactive reserve status.

It not only costs us financially, but it also is giving the wrong signal, it seems to me, in terms of nonproliferation.

Since nonproliferation is a major goal of this country, we should be sending out the strongest signals, not the weakest signals, in terms of our own determination not to maintain weapons that we do not need.

Now, would you give us your assurance that you will review this issue carefully after you are confirmed and that you will give this committee your views on this? I am not going to ask you for them today, but will you review this issue?

Dr. WHITE. Yes, sir. I will review it and give you my views.

Senator LEVIN. Okay. I just had one or two more questions, but my time is up.

Senator WARNER. Well, Senator, I am going to remain for a minute or two with my own. Can I convenience you by allowing you to go ahead?

Senator LEVIN. That would be great. I will finish in just a couple minutes.

Senator WARNER. All right. Thank you.

Senator LEVIN. Thank you, Mr. Chairman.

I misspoke, by the way. It was General Clark that was testifying for the JCS, not General Shalikashvili, on that issue.

Dr. WHITE. Yes, sir.

Senator LEVIN. I asked that you discuss the Army modernization funding issue, which we spoke about in my office with General Sullivan. I do not know whether you have had a chance.

Dr. WHITE. Yes, sir. I did talk to General Sullivan.

Senator LEVIN. Okay. My concern, and I think the concern of many on the committee, is the underfunding on modernization programs, particularly in the Army, although it is not limited to the Army. There is a particular problem in the Army on modernization funding.

Can you comment on that issue?

Dr. WHITE. Yes, in general terms, Senator. I think there is definitely a problem in terms of modernization. I mentioned in my opening statement my principal priority from the Secretary will be to work on executing a modernization program and making sure it is effective.

It is my understanding that the Army and the Army tank program in particular, are very high priorities in this regard.

As the Army has serious modernization problems, I think they clearly deserve significant priority in the Department; and I will work to provide that.

Senator LEVIN. The question was asked, I think by Senator McCain about the BRAC cleanup funding. We have underfunded the cleanup, even though we promised all the communities where bases were closed, including a number in my state of Michigan, that there would be full funding of BRAC cleanup.

We have lost all of our SAC bases in Michigan, all of our major installations. We do not have any left at all. One of the things we have assured the community is that we will clean up promptly so that they can reuse this property promptly.

Yet, we find that the Department is not able to meet all of its BRAC 1991 environmental funding requirements. And the environmental funding for the most recent round, which is BRAC 1995, is not even included in current DOD plans and budgets.

So we also were told by, I believe, your commission, or perhaps this is from your commission's work, that even if the total budget can be kept stable, that it may not be possible to fund all of this work in a timely fashion. The bottom line, we are breaking our word to communities.

It is that simple. We made a commitment. If we close a base in your community, we are going to clean it up quickly, so you can reuse it quickly. We are violating that.

It is bad enough we close bases in communities that have relied on them. And now to give them a false statement that we are going to clean up promptly is totally unacceptable.

Are you familiar with that Defense Science Board Task Force report on funding? I think that you may have become familiar with it through your work.

I do not think it had anything to do with your work. But are you familiar with the report of the Science Board Task Force?

Dr. WHITE. Sir, I am not. We on the Roles and Missions Commission did not deal with the base closure issue at all.

Senator LEVIN. All right. Will you commit yourself to fully fund BRAC accounts so that closing bases get cleaned up as swiftly as promised?

Dr. WHITE. Well, I do not really know anything about where they are in terms of the program. Let me commit to look at the program and to report to you, Senator, in terms of the status of the program and where the Department is.

[The information follows:]

BRAC CLEANUP FUNDING

The Department has invested over two and a half billion dollars so far in cleaning up BRAC bases. Over 60% of base closure property is environmentally suitable for transfer and much of the remaining property is available for lease. We have accelerated our environmental restoration efforts at almost all of our closing installations in order to make the property available for reuse as quickly as possible. One example of our successful Fast Track efforts is Fort Devens, Massachusetts. Fort Devens, which is listed on EPA's National Priorities List, will have remedial actions in place more than 3 years earlier than anticipated due to the efforts to accelerate environmental restoration at the base.

To cleanup closing bases in a timely manner, DOD budgets to make significant progress toward cleaning up bases to meet base reuse plans so that property can be transferred to private use, and, in addition, it budgets to meet all its requirements under environmental cleanup agreements. The flexibility built into the BRAC account affords the opportunity to further accelerate cleanup efforts when projects are executable and funds are available.

Almost every year, the Military Construction Appropriations Act establishes a '100%' on environmental cleanup spending within the BRAC accounts and every year the apartment has exceeded the floor (see the table below). Although the Department would rather not have such a "floor," the "ceiling" on environmental restoration funding contained in the House legislation is far more troublesome. The flexibility of the BRAC account to direct funds where they can most effectively work to close bases and make them available to communities would be taken away under the House's proposal which would likely slow the transfer of closed military bases.

BRAC ENVIRONMENTAL SPENDING

[In millions of dollars]

	Fiscal year 1991	Fiscal year 1992	Fiscal year 1993	Fiscal year 1994	Fiscal year 1995	Total
Statutory floor	100.0	451.7	443.5	462.3	508.2	1,965.7
Actual and planned expenditures	341.4	625.6	463.5	515.1	578.5	2,524.1

Senator LEVIN. Okay. Would you also, as part of your review, take a look at the law which requires prompt cleanup?

Dr. WHITE. Yes, sir.

Senator LEVIN. So we have not only made a commitment, there is legal requirement as well to do that. And then if you would compare that to what we are doing and then let us know, I would appreciate it.

Dr. WHITE. Yes, sir.

[The information follows:]

BRAC CLEANUP REQUIREMENTS

Federal agencies are required by the Comprehensive Environmental Response, Compensation, and Liability Act, § 120(h), to have an approved remedial action in place and operating successfully for all contaminated sites prior to the transfer of the property. Federal agencies are also required under § 120(h) to disclose any prior storage, release, or disposal of hazardous substances, as well as describe any remedial actions taken prior to transferring property. Even at locations that have never had a release of hazardous substances but where such materials were stored for one year or more, the Department must include in any deed a covenant warranting that any additional remedial action found to be necessary after the transfer shall be conducted by the United States.

Senator LEVIN. Finally, when we spoke about overhead costs in the Department of Defense, I mentioned to you that the budget resolution assumes a 15-percent reduction in overhead for all non-defense agencies.

I mentioned to you an amendment which I offered, which passed, which called for a 3-percent reduction, at least a 3-percent reduction, in overhead for all defense agencies. That includes travel, printing, shipping, communications and so forth.

Do you think that ought to be accomplishable?

Dr. WHITE. Well, I certainly think, Senator, as I mentioned earlier, in terms of the Department's priorities, and modernization in particular, there have to be substantial economies made across the board, particularly in the infrastructure.

And therefore, I think we need to look for ways to find more money and more savings.

Senator LEVIN. Do you have any reasonable doubt that we can accomplish at least a 3-percent reduction in overhead in defense agencies, since we are doing 15 percent in non-defense agencies?

Dr. WHITE. I obviously have not looked at the details, but it would not strike me as something that could not be done, Senator.

Senator LEVIN. Thank you. Thank you, Mr. Chairman.

Senator WARNER. Thank you, Senator Levin.

Dr. White, having served under three secretaries of Defense and two deputies myself, I know of the value of the relationship between a secretary and his principal deputy.

I presume that you are here this morning largely due to the recommendations of Secretary Perry, that in his judgment you were the one that he would like to work with. Am I correct in that?

Dr. WHITE. Yes, sir. That is correct. I was contacted by John Deutch at the Secretary's behest and sat down with the Secretary.

He indicated that he wanted me to serve and asked me whether I would and I accepted. And I have known Dr. Perry for many, many years, and I am a great admirer of his.

Senator WARNER. Well, I likewise pride the fact that I have known Dr. Perry for many, many years, and I also enjoy a close personal working relationship and have the very highest regard for his approach to our defense issues.

He is a fine man, and I do hope that the two of you can forge an absolutely strong bond and working relationship together. And in a sense, you are almost alter egos on most of these issues.

Dr. WHITE. Yes, sir.

Senator WARNER. In the questions asked earlier today by Chairman Thurmond, you replied with respect to your continuing rela-

tionship with Harvard. And the Chairman asked me to do the follow-up for the record.

Will you recuse yourself from any matters involving Harvard University or any subsidiaries of that university structure in their dealings with the Department of Defense?

Dr. WHITE. Yes, sir.

Senator WARNER. Fine.

My next observation is really to Mrs. White. We have talked a good deal about quality of life in the armed forces. I think the quality of life in the Department of Defense has to be monitored from time to time.

I would hope that you would exercise a strong hand in seeing that the senior executive before us today gets home at a reasonable time, so all the other doors down the corridor can be shut and allow their principals to go home.

Because I have often found that decisions made after 8:00 in the evening are reversed before 8:00 the next morning and nothing much was accomplished. And I say that with some humor and some seriousness.

Dr. WHITE. Yes, sir.

Senator WARNER. It is a driven institution, and it has to be by the nature of its business. But there are lifestyles that have to be preserved for both the civilian and the military personnel who are serving in that vast empire over which you hopefully will soon preside, certainly with my support.

I wrote Chairman Thurmond and the ranking member a letter yesterday, suggesting that this committee at its earliest opportunity, look into the allegations regarding the intelligence knowledge, if it did exist, of the ground-air systems in the flight path of Captain O'Grady's mission, because of the general principle that at all times, every asset of the armed forces must be utilized to protect those individuals who are on the cutting edge of combat situations.

I hope that is soon clarified. An investigation is going on in the Department of Defense, and Dr. Deutch as the Director of Central Intelligence is conducting one as well.

Dr. WHITE. Yes, sir.

Senator WARNER. And at an appropriate time, I hope our committee will review this.

Dr. WHITE. Yes, sir.

Senator WARNER. There cannot be any doubt in the minds of the young men and women in uniform that all times all assets will be brought to bear to preserve their security when they are taking great risk.

In reviewing the Roles and Missions, you made a recommendation with respect to the eight Army National Guard divisions.

Would you state that succinctly? What do you intend to do in your new role, if confirmed, with respect to that recommendation?

Dr. WHITE. Well, sir, first with respect to the recommendation, it was our observation that we ought to stress the full integration in terms of utilization of the Guard and Reserve with the Active force. They are part of the defense team and the Department, in our judgment, can do a better job of integrating them.

As part of that integration, it seemed to us that there are some opportunities to meet some other requirements with respect to combat support and combat service support—across the Department.

We did not make a distinction between whether or not these changes ought to be made in the Guard or the Active force, but they clearly ought to be made.

So there is a set of priorities there that have to be adjusted in our view and some changes that need to be made. As I indicated earlier to Senator Nunn, if I am confirmed, I will take an objective view of that.

I will listen to the Department's view, and then I will have to make a judgment. And I think I can be impartial and objective in making that judgment.

Senator WARNER. Do you think that that might result in a recommendation to Congress for the inactivation of several of these divisions?

Dr. WHITE. Well, I do not know, Senator. I can only say that from the Commission's point of view, our view was more one of re-assigning missions and better utilizing the forces that were there.

And if there were surpluses, determining whether they ought to come out of the Active or the Reserve.

Senator WARNER. So somehow misinformation has come to me that the report might include a recommendation to Congress that they be inactivated.

Dr. WHITE. Sitting as a commission, we did not discuss the inactivation of specific divisions. No, sir.

Senator WARNER. Well, that is reassuring, because I think they play a role, and indeed in the changing world of risk that we face, we should go back and review what their missions are from time to time, and the ability for these very valuable parts of our security system to play a role in the time of crisis.

Dr. WHITE. Yes, sir.

Senator WARNER. But I think across America, they are viewed by the American population, and have been since their inception, as an essential part of our defense. And it only remains that we make more efficient their utilization.

Dr. WHITE. Yes, sir.

Senator WARNER. Weapons of mass destruction are a subject that all of us are constantly monitoring. And I wonder if you have any initiatives in that area which you will be bringing forth in your new position?

Dr. WHITE. Well, let me just speak for the Commission. When we looked at weapons of mass destruction, in particular issues with respect to counterproliferation, it seemed to us that not enough is being done.

And we recommended that there be an interagency task force to look at this issue and that the Vice President ought to chair that work, because it is so important and so urgent.

So I think it is an area where, if confirmed, I am going to spend some time, because I think it is critically important.

Senator WARNER. Well, I share that view. I saw that particular provision about the Vice President. Has that been communicated to him? And did he or the President have any initial reaction?

Dr. WHITE. I have not talked to the Vice President. It has been communicated, because I have talked to his staff. But I do not know his reaction.

Senator WARNER. Well, I hope that you would continue to press forward and that the President and Vice President would make a decision along that line, because I thought it was an excellent recommendation.

Dr. WHITE. Thank you.

Senator WARNER. I think that both the Department of Defense and the Congress should begin to work together as to how we can bring to bear all assets in this country on this problem.

That is why I was glad to support the initiatives by Chairman Thurmond and Senator Nunn with regard to the posse comitatus issue.

I think they finally resolved that in a manner which incrementally brings the Department in, but at the same time does not violate the time-honored concepts associated with posse comitatus.

Because we have a constricting financial picture out there, and yet this is a growing risk to Americans, and indeed many others around the world. So we have to look at ways in which to take whatever assets we have to bring to bear on this critical problem.

Dr. WHITE. Yes, sir.

Senator WARNER. So if I may, I am going to follow up on this recommendation personally with the Vice President and ask him to give us a reply.

Dr. WHITE. Yes, sir.

Senator WARNER. Many of us will be joining the President today in eulogizing our good friend Les Aspin.

Dr. WHITE. Yes, sir.

Senator WARNER. It occurs to me that the Bottom-Up Review, which I think will always remain as one of his best contributions, should be now reviewed in maybe a Bottom-Up Review II. Have you given any thought to the necessity of having that thorough a review?

Dr. WHITE. My understanding, Senator, is that there is a current review of the Bottom-Up Review in the Department that will go to the Secretary soon. That is a current updating of the Bottom-Up Review.

Senator WARNER. Well, I would hope that, assuming that you are promptly confirmed, you can make your own independent review and contribution to such a report before it is finalized.

Dr. WHITE. Yes, sir. I will do so.

Senator WARNER. Because I think given your new responsibilities, it would be essential that you be a part of the final decision-making. Otherwise, if it is not to your liking in some form or another, it would cause a problem at the outset in your work.

Lastly, your Roles and Missions report. Do you anticipate that a legislative package will be forthcoming from the Secretary of Defense to the Congress, tying together various recommendations in that Roles and Missions report?

Dr. WHITE. I do not know, Senator. I know that the Secretary has instructed the staff, led by Assistant Secretary Ted Warner, to put together a team to assess all of the recommendations and re-

port back to the Secretary promptly. But I think it is too early to say.

Senator WARNER. Well, you would not be in a position of any conflict as Deputy Secretary.

Dr. WHITE. No, sir. I do not believe so.

Senator WARNER. It seems to me that you ought to very quickly pick up the major responsibility on behalf of Secretary Perry to determine whether or not there is a legislative package that should be forthcoming to the Congress.

Dr. WHITE. Yes, sir. I intend to play an active role in that review.

Senator WARNER. All right. Because I think there was an extremely conscientious effort by yourself and other members of the Commission.

Dr. WHITE. Thank you.

Senator WARNER. And all too often, these efforts are put together in a bound volume and distributed and that is it. I remember some of the Packard Commission on procurement that I felt that should have been implemented more expeditiously.

So I would hope that you would do that.

Dr. WHITE. Yes, sir.

Senator WARNER. I have just been informed that Senator Nunn will be returning to the committee for further questions. I have no further questions.

Can I determine from staff the timing of his return?

Well, we will just take a moment recess until the distinguished ranking member returns.

Dr. WHITE. Yes, sir.

Senator WARNER. You might consult your wife with regard to further responses you might wish to have.

Dr. WHITE. Thank you, sir.

[Recess.]

Senator NUNN. I understand Senator Thurmond is going to permit me to ask a couple of questions here before we conclude.

Senator WARNER. We turn it all over to you.

Senator NUNN. The whole thing?

Senator WARNER. The whole thing. Bang the gavel and have at it.

Senator NUNN. [presiding]. Thank you very much. I have not had this in my hand for a while. [Laughter.]

I want to ask one question on behalf of Senator Ford. Let me just read the question so there will not be any doubt about it. This is a question he asked me to pose to you. "As co-chair of the Senate national Guard Caucus, I request that you ask the following question of Mr. White on my behalf during that hearing: The recent report of the Commission on Roles and Missions of the Armed Forces stated, 'The Army has 8 national Guard combat divisions with approximately 110,000 personnel spaces that are no longer needed for the current national security strategy and that the Secretary of Defense should direct the Army to restructure these combat divisions to cover any shortfall in support of forces.' Could you explain the intent of the Commission which you chaired? Also, as Deputy Secretary of Defense, how do you see your role in this proposed restructuring?" "

Dr. WHITE. Senator, when we looked at the issue of the Total Force, it seemed to us, as we indicated in our recommendations, that the Department in general and the Army in particular, since it has the largest numbers of these forces, ought to reassess their role.

It seemed to us that they are not fully integrated in the planning, that there are needs in the Department with respect to combat service support and combat support units, that they may take higher priority than some of the late deploying combat units, and that there ought to be a reassessment.

We were careful not to make a prejudgment about whether total changes ought to be made in the Active force or in the Reserve community, but rather they ought to both be integrated and then reassessed.

Senator NUNN. Okay. Thank you. You might want to discuss that with Senator Ford at some point when you get your feet on the ground over there.

Dr. WHITE. Yes, sir.

Senator NUNN. This is another question on my behalf. The Commission recommended that U.S. Atlantic Command become a functional command responsible for joint training and integration, thus eliminating Atlantic Command's geographic area of responsibility.

The Atlantic Command is currently responsible for the defense of the United States, CONUS. The CINC also serves as the Supreme Allied Commander, Atlantic SACLANT.

One of the Commission's staff papers suggests that Greenland, Iceland and the North Atlantic Ocean area would be transferred to the European Command, to EUCOM, and provided the following alternatives with respect to the SACLANT mission.

Number one, the Atlantic Commander would function as SACLANT. That is one option, I assume. ACOM would pass the SACLANT responsibilities to either its Navy component or numbered fleet commander, or the Atlantic Command would relinquish those responsibilities to EUCOM.

That is all my understanding of what you all have talked about in the Roles and Missions Commission. My concern is that the Commission's understanding of a focus on the joint training and integration led it to make a recommendation without adequate consideration of the impact it would have on NATO.

It would be impossible for Atlantic Command to retain the SACLANT, Supreme Allied Commander Atlantic, position if he does not have an area of responsibility that would include the North Atlantic.

The alternatives giving the SACLANT responsibility to the Navy component commander or the numbered fleet commander would require that the chosen commander become a unified combat commander with a unified staff and assigned forces. Giving it to SACEURO would broaden that commander's already extraordinarily large area of responsibility even more.

With all of that as a background, can you tell me if the Commission carefully considered the international aspect of the SACLANT issue and how they resolved that issue?

Dr. WHITE. Yes, sir. As you have indicated, our focus on USACOM had to do with a major emphasis on joint training and joint readiness.

And we thought that, in that regard, the AOR is a distraction from what ought to be a higher priority in the Department than it is today.

Second, we looked at the issue extensively with respect to what ought to be done in terms of the boundaries among the various commands and what the AORs ought to look like.

In fact, three of us commissioners had a long conversation with General Shalikashvili, about that issue. And we talked about it a lot as commissioners.

We came down on indicating a set of principles but stopping short of recommending any specific changes, because it did not seem to us that, in terms of our charter and in terms of the capabilities of the Commission, we ought to go that far.

These are very complicated issues. Internationally, they go in fact beyond the Department. They are the President's responsibility.

And so we stopped short of recommending how exactly you would reallocate those regional responsibilities.

Senator NUNN. You would acknowledge you have to take those considerations into account before making any kind of final decision on this.

Dr. WHITE. Absolutely. There is no question about it.

Senator NUNN. And in your role as deputy, you would certainly make sure that to the extent of your jurisdiction those broader considerations were brought to bear.

Dr. WHITE. Yes, sir.

Senator NUNN. Dr. White, on page 2-28 of the Commission's report, relating to the B-2 and the munitions issue you stated in part, and I quote—"We agree that the production of additional B-2s would be less cost effective than buying additional precision weapons for existing bombers and other strike aircraft or otherwise improving the conventional warfighting capabilities of existing bombers."

I agree with that assessment. Any study should provide both for effective weaponry and for any needed modifications to the effective use of the weaponry.

But this is the question: Is it not also likely that buying a larger quantity of more effective weapons would also be more cost effective than buying or keeping some of the existing or proposed non-bomber forces, as well?

Dr. WHITE. That may be, Senator. When we looked at the whole issue of deep attack, which included the bombers in their conventional role, as we indicated in the report, we think there is a serious question about the mix and number of assets devoted to that particular mission and therefore recommended that a broader review be done that would look across the board at those assets, platforms as well as munitions.

Senator NUNN. You address the relative cost effectiveness of B-2s versus other conventional forces, like F-16s or the Joint Advance Strike Technology (JAST), those kinds of tradeoffs, too. Are you recommending that somebody take a look at that?

Dr. WHITE. Yes, sir.

Senator NUNN. Well, I certainly agree with that. And I guess the implication is you do not think the B-2 study did that. I do not mean yours; I mean the one that was done by the Department.

Dr. WHITE. I think the one done by the Department is an excellent study, but as I am sure you know, it is based on a set of scenarios and so-called excursions. And it looks at the bomber in particular roles.

I think it is an excellent study. We looked at a whole array of studies. I have forgotten how many, 16 or 17. But there is always this larger problem, it seems to me, particularly in the deep attack area, where you need to do these other complicated tradeoffs.

Now, I do not know whether you can do them totally analytically. Sometimes it has to be done with professional judgment. But clearly, they have to be made.

Senator NUNN. That has been my problem. I thought the study, as far as it went, was fine. It just did not make the kind of tradeoffs that we thought were going to be done when it was undertaken.

I thought there were going to be tradeoffs across the whole array of the defense spectrum, not simply B-2 versus more cost-effective munitions.

I think you could take almost any one of our platforms and make the same argument, that more cost-effective munitions would be a better tradeoff than keeping them in inventory or even, some of them, than building others.

So I have been on the wavelength for at least 10 or 12 years of thinking that we were underfunding munitions, and particularly advanced munitions. But the services always tend to move toward platforms. We know that.

Dr. WHITE. Yes, sir.

Senator NUNN. So the question is now, if the B-2 is eliminated on the basis of this DOD study and there are no more B-2s, and then if we repeat all the histories that I know anything about, we will end up not acquiring the munitions either. So you would be left with neither.

So it seems to me that a real broader view of this issue needs to be undertaken.

Dr. WHITE. Yes, sir.

Senator NUNN. I do not have any other questions.

Do you have anything else, Dr. White, that you would like to tell the committee?

Dr. WHITE. No, sir. I would just like to thank the committee for the attention and support that have been expressed, and I look forward to being confirmed, hopefully, and serving and working with you.

Senator NUNN. The committee will stand adjourned at this point. [Whereupon, at 11:55 a.m., the hearing was adjourned.]

[Prepared questions submitted to Dr. John P. White by Senator Thurmond prior to the hearing with answers supplied follow:]

May 30, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

Dear Mr. Chairman: Thank you for your letter of May 15, 1995, in relation to my nomination as Deputy Secretary of Defense. Enclosed are my responses to the committee's advance questions.

I appreciate the opportunity to answer the committee's questions and look forward to appearing before the committee.

Sincerely yours,

JOHN P. WHITE.

Enclosure.

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 8 years have now passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations Reforms.

Do you support full implementation of these reforms?

Answer. Yes.

Question. What is your view of the extent to which these reforms have been implemented?

Answer. In brief, the reforms have been implemented carefully, in a measured way, and in compliance with both the letter and spirit of the legislation. Instituting the major changes called for by Goldwater-Nichols must be done in an evolutionary way. The Department must maintain the momentum until the intent of Goldwater-Nichols has been fully realized. The Commission on Roles and Missions offered some suggestions on how the Department can move the process along. With the continuing help of this Committee, I am certain that it will.

Question. The goals of Congress in enacting these defense reforms, as reflected in section 3 of the Goldwater-Nichols Department of Defense Reorganization Act, can be summarized as: strengthening civilian control; improving military advice; placing clear responsibility on the combatant commanders for the accomplishment of their missions; ensuring the authority of the combatant commanders is fully commensurate with their responsibility; increasing attention to the formulation of strategy and to contingency planning; providing for more efficient use of defense resources; and enhancing the effectiveness of military operations and improving the management and administration of the Department of Defense. Do you agree with these goals?

Answer. Yes.

Question. What is your view of the extent to which these goals have been realized?

Answer. The most crucial provisions that have been implemented include those that strengthened the role and authority of the Chairman of the Joint Chiefs of Staff and the unified commanders (CINCs), improved the quality of joint staffs, gave theater CINCs greater authority over assigned forces, strengthened the ability of OSD to assist the Secretary in formulating the defense strategy, directed the Secretary of Defense to provide written policy guidance to the Chairman for the preparation of contingency plans, and strengthened the capability of OSD to review these plans on behalf of the Secretary. I believe that additional steps can be taken.

QUALIFICATIONS

Question. Section 132 of title 10, United States Code, provides that the duties of the Deputy Secretary of Defense are to be prescribed by the Secretary of Defense.

Assuming you are confirmed, what duties do you expect that Secretary Perry will prescribe for you?

Answer. In the Department of Defense, the Secretary of Defense and the Deputy Secretary of Defense have historically functioned as "alter egos." This was the practice while Dr. Perry and Dr. Deutch were Deputy Secretary. Secretary Perry and I intend to maintain this practice. The Secretary will continue to serve as the "Chief Executive Officer" of the Department, and, if confirmed, I will act as its "Chief Operating Officer."

Question. What background and experience do you possess that you believe qualify you to perform these duties?

Answer. I have devoted a significant portion of my professional life to studying, developing, and implementing defense policy. Early in my career, I served as an offi-

cer in the U.S. Marine Corps. I served as Senior Vice-President of the RAND Corporation in the 1970s and was responsible for all of RAND's National Security Research. During the Carter administration, I was the Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics (1977-78) and the Deputy Director of the Office of Management and Budget (1978-81). For the past year, I have chaired the Commission on Roles and Missions of the Armed Forces.

I am also the Director of the Center for Business and Government and on the faculty at the John F. Kennedy School of Government at Harvard University. The Center addresses a broad array of public policy issues.

In private life, I have obtained additional managerial experience as the Chief Executive Officer and Chairman of the Board of Interactive Systems Corporation (1981-88). After that business was sold to Eastman Kodak in 1988, I became a Kodak Corporate Vice President and the General Manager of its Integration and Systems Products Division.

Consequently, much of my career has been devoted to managing technical/analytical organizations—where a major emphasis has been upon how to manage and adapt to change. I think that this experience will be valuable if I am confirmed.

I earned a B.S. degree in industrial and labor relations from Cornell University, and an M.A. and Ph.D. in economics from the Maxwell Graduate School of Syracuse University.

Question. Do you believe there are any steps you need to take to enhance your expertise to perform the duties of Secretary of Defense?

Answer. I believe that my experience and education, which are briefly described above, would enable me, if confirmed, to serve effectively as Deputy Secretary of Defense. I would welcome the opportunity to learn from this committee, the Congress, and the dedicated men and women of the Department.

ACQUISITION POLICY AND MANAGEMENT

Question. In your view, what are the most significant management challenges the Department faces with respect to the acquisition system?

Answer. The most significant challenge is to reform the acquisition process. The DOD acquisition system today is a complex web of laws, regulations, and policies. This system was intended to ensure standardized treatment of contractors; prevent fraud, waste and abuse; ensure that the government acquisition process was fair; check the Government's authority and its demand on suppliers; and further socioeconomic objectives. While these aims are laudable, the result is a system that is too cumbersome and costly. The Department must be able to acquire commercial and other state-of-the-art products and technology rapidly from reliable suppliers who utilize the latest manufacturing and management techniques. DOD has begun a series of comprehensive acquisition reform initiatives, many of which are included in the Federal Acquisition Streamlining Act of 1994.

Question. Please give your evaluation of the DOD's implementation of the acquisition reforms mandated by the Packard Commission, the Defense Management Review, and the National Performance Review in terms of: Major accomplishments.

Answer. DOD has made significant progress in implementing these reforms, and it must be maintained. Positive accomplishments include the creation of a full-time acquisition executive in the Office of the Secretary of Defense, a full-time acquisition executive in each Military Department, and Program Executive Officers for major systems in order to create clear lines of authority and a resulting focus of the authority and responsibility for acquisition policy and execution.

Question. Areas that need more attention.

Answer. I believe that DOD needs to continue to simplify the regulatory and statutory regime, especially in order to foster the use of commercial practices and the procurement of commercial products. Maintaining the commitment to a professional acquisition workforce is also very important.

Question. Last year Congress passed the Acquisition Streamlining Act but legislative fixes are only part of the story. Which aspects of the acquisition system can be reformed significantly through internal management changes without legislative action?

Answer. I understand that DOD is leading the interagency teams that are aggressively implementing the provisions of the streamlining legislation. The goal is to have all rules published and effective no later than October 1, 1995.

There are a number of additional actions the Department can take internally to reform the acquisition process short of legislative action, including eliminating the requirement for military specifications and standards, wherever possible.

I should also note that the Roles and Missions Commission made a series of recommendations to move further in the area of acquisition reform.

Question. What is the status of the Department's implementation of last years Acquisition Streamlining legislation?

Answer. It is my understanding that DOD is aggressively implementing the new law. This includes a series of revisions to the Federal Acquisition Regulation (FAR), changes to numerous internal agency rules, and issuance of waivers for the five pilot programs authorized in the Streamlining Act.

Question. What legislative proposals, if any, should be given priority in terms of follow-up to the Federal Acquisition Streamlining Act of 1994?

Answer. The administration and DOD have formally proposed wide-ranging follow-on legislation to the Federal Acquisition Streamlining Act of 1994. Among the major aims of these proposals are to streamline contract award procedures and reduce the lengthy and expensive protest litigation.

Question. Please describe the magnitude of savings that you anticipate from comprehensive acquisition reform, and a reasonable time frame for achieving those savings.

Answer. I have considerable optimism that there will be significant savings from comprehensive near-term acquisition reform. However, until the Department implements the comprehensive acquisition reform initiative and documents the results, it is not possible to estimate savings accurately.

Question. Please give your assessment of DOD's implementation, to date, of each of the recruitment, compensation, and training incentives in the Defense Acquisition Workforce Improvement Act.

Answer. I am advised that in the area of recruitment, DOD has implemented an effective program to bring highly qualified recent graduates into the acquisition workforce. On compensation, the Act authorizes retention bonuses for certain officers in the Acquisition Corps, but the services have not used this authority because of adequate retention of these officers. Training activities have increased substantially, and the fiscal year 1996 budget includes funding to meet the training requirements necessary to achieve a fully professional workforce.

Question. Do you believe that any additional management actions or legislative incentives are needed to enhance DOD's ability to meet the Section 1207 goals for participation in defense procurement by small businesses and small disadvantaged businesses?

Answer. No.

Question. DOD has separate rules and organizations to address acquisition procedures, validation of requirements, and establishment of budgets. What is your view on the effectiveness of arrangements now in place in terms of coordinating acquisition, requirements, and budget activities?

Answer. Since the issuance of the 1986 Packard Commission report and the 1989 Defense Management Report, the Department has gone to great lengths to ensure that its major decision support processes are rational and effective. I fully support those efforts.

Question. Would you recommend any organizational or procedural changes?

Answer. Based on my review of this important area in the last year, I believe that consideration should be given to three broad changes or improvements. First, further strengthening the role of the Joint Requirements Oversight Council in getting "jointness" built in early in the requirements determination process. Second, assuring the Service Acquisition Executives and the USD(A&T) are fully involved in cost/capability tradeoffs concerning new weapons systems. And third, better linking this modernization activity with overall assessment of capabilities to perform CINC missions, which should be the centerpiece of DOD's program and budget formulation.

Question. With respect to the management of defense acquisition activities: What is your understanding of the role of the Deputy Secretary of Defense?

Answer. The Deputy Secretary has a very broad portfolio that goes beyond DOD's acquisition activities. The Deputy must concern himself with top-level issues of resource allocation and force and personnel readiness. Obviously, from time to time, the Deputy will become involved in acquisition decisions, but the senior official in charge of acquisition is the USD(A&T). Both the Secretary and Deputy look to the USD(A&T) as their number one advisor on acquisition matters.

Question. What do you see as the relationship between the Deputy Secretary and each of the following:

- (1) The Under Secretary of Defense for Acquisition and Technology.
- (2) The service Secretaries.
- (3) The Service Acquisition Executives.
- (4) The Comptroller.
- (5) The Inspector General.

Answer. 1. If confirmed, I intend to work very closely with the USD(A&T) on a day-to-day basis. He will be the number one advisor to me and to the Secretary on acquisition matters.

2. Regarding the relationship between the Deputy and the service Secretaries, there may of course be times that a service Secretary does not agree with a position taken by the USD(A&T). In those cases, I would intend, if confirmed, to follow John Deutch's practice of allowing the service Secretaries to appeal to me or the Secretary. Similarly, they may appeal to the Secretary if they object to a decision I make as Deputy Secretary.

3. The relationship of the Deputy Secretary and the Service Acquisition Executives (SAEs) is not as close as the Deputy USD(A&T) or Deputy-service Secretary relationship. This is basically a matter of organizational structure and span of control.

4. By law, the Comptroller advises and assists the Secretary and Deputy Secretary in performing budgetary and fiscal functions, supervising the preparation of the Department's budget estimates, and establishing and supervising the execution of budget principles, policies, and procedures. The Deputy Secretary necessarily has a close working relationship with the Comptroller.

5. An important part of the relationship between the Deputy Secretary and the IG is to ensure that the IG is doing his or her best to implement the IG Act while being careful not to prevent or prohibit any planned or ongoing audits. I intend to seek the advice and counsel of the Inspector General frequently.

Question. What changes, if any, should be made in the method by which the Department of Defense establishes research priorities in the varied threat environment that characterizes the post-Cold War world?

Answer. The driving philosophy of the Department of Defense technology base programs has to be the development of affordable technology that will provide the capability to respond swiftly, decisively, and with minimum loss of life and material regardless of threat. To accomplish this, the technologist must work closely with the user to fully understand needs and keep the user informed of breakthrough technologies.

INDUSTRIAL AND TECHNOLOGY BASE

Question. Based upon your experience, what funding and management actions should receive the highest priority attention with respect to the following:

- a. Maintaining the viability of the defense technology base?
- b. Integration of the defense and non-defense technology bases to further the development of a dual-use industrial base?

Answer. I believe both objectives should be pursued. Increasingly, the Department must rely more on the commercial sector to have early, affordable, and assured access to the technologies it needs. This is true, for example, for semiconductors, computers, and advanced communications systems, where commercial industry now drives the pace of much technical innovation. In such sectors, commercial reliance will mean better products produced faster and at lower costs to DOD. At the same time, I would expect the Department to continue to invest in order to maintain its lead in critical, defense-unique technologies.

Question. In Chapter 148 of title 10, United States Code, Congress has established policies and programs for the national defense technology and industrial base, defense reinvestment, and defense conversion. This legislation establishes responsibility for annual assessments and plans; authorizes programs for development, application, and support for manufacturing technology, assisting defense-dependent companies in acquiring dual-use capabilities, and expanding the defense supplier base. From what you know of the Department's current situations, please describe and evaluate the status of implementation of each of the policies and programs established under Chapter 148.

Answer. The administration is committed to maintaining an adequate industrial and technology base. I understand that the Department is developing consistent guidance and methods to assess industrial and technological capabilities. I also understand the Department has proposed changes to Chapter 148 which would focus its activities and analyses on those areas that are necessary to support its key budget, acquisition, and logistics processes.

Question. In your view, does the Department currently have the capability to generate the sector studies needed to permit rational industrial and technology base decisions about specific systems? If not, what changes would you recommend?

Answer. I understand the Assistant Secretary of Defense for Economic Security is working on this, developing general guidelines and examining specific industrial problems.

NUCLEAR DETERRENCE AND THE DEPARTMENT OF ENERGY

Question. How extensive is your familiarity with the Department of Energy's Nuclear Weapons Complex and major issues surrounding the Department of Energy's support to the DOD managed nuclear deterrent?

Answer. If confirmed, I intend to become much more familiar with the DOE nuclear weapons complex in the months ahead. The President has made clear the United States will maintain its nuclear deterrent. This means DOE must be capable of supporting and sustaining the existing stockpile in a safe and reliable status.

Question. In your opinion, is there a need to press DOE to decide on a tritium source that is reliable and uses proven technology?

Answer. I am aware that DOE plans to publish their tritium strategy within the next few months.

Question. At the May 16 hearing of the Subcommittee on Strategic Forces of the Senate Armed Services Committee, DOE submitted written testimony stating that, "Improvements to the stockpile must be made through a strategy that does not call for significant new weapons production or complete rebuilding of the enduring stockpile." Do you agree with this or do you believe that the United States should maintain sufficient nuclear weapons manufacturing capacity to rebuild the entire stockpile over time?

Answer. Today, the stockpile is safe and reliable, and we have no requirements for new warheads. I do, however, believe that DOE must have the capacity to replace—if necessary—failed elements of the entire enduring stockpile over time.

Question. DOE has not provided DOD with technically detailed, requirements-driven plan for its Weapons Activities Programs (Stockpile Stewardship and Stockpile Management). Do you believe the Department of Defense should push DOE to produce such a plan this year?

Answer. I understand that the Department is reviewing the May 1995 DOE plan and will be working with their experts to ensure we can achieve this level of confidence.

Question. If DOE informs you that underground testing is needed to solve problems with reliability or safety, would you inform the Armed Services Committee immediately?

Answer. Yes.

Question. Are you in full agreement with U.S. policy on nuclear deterrence and will you support that deterrent as defined by the Nuclear Posture Review or do you believe in alternative means of deterrence?

Answer. Yes. The Nuclear Posture Review held that the primary role of U.S. nuclear weapons continues to be the deterrence of aggression against the United States, U.S. forces overseas, and our allies. We will continue to maintain nuclear forces of sufficient size and capability to hold at risk a broad range of assets valued by the political and military leaders from any potential adversary. I do not believe that an alternative means of deterrence is necessary.

Question. The Nuclear Posture Review adopts a strategy of "leading" the world by reducing our nuclear deterrent and of "hedging" by holding onto certain systems and maintaining the capability to reconstitute a larger deterrent if the world situation deteriorates. At this point in time, are you more of a "leader" or a "hedger?"

Answer. Both concepts are equally important and must work together. The Nuclear Posture Review illuminated where it was prudent to "lead" and how best to "hedge."

Question. Do you support maintaining the current level of defense R&D spending and the pattern of that spending? If so, why? If not, why not, and what would you do instead?

Answer. Based on my current understanding, I believe that the current level and pattern of R&D spending for U.S. forces is appropriate and supports our R&D objective.

CIVIL-MILITARY COOPERATIVE ACTION PROGRAM

Question. Section 1081 of the National Defense Authorization Act for Fiscal Year 1993 established the Civil-Military Cooperative Action Program. Under this program, military units can use their unique expertise or equipment to meet local domestic needs, as long as these activities are consistent with their military mission and do not duplicate other public services or compete with services available from the private sector. Please describe the status of the Department's implementation of this program.

Answer. The Department has several different pilot programs underway in various stages, from initiation to completion. I am told that a DOD Directive and Instruction that would implement section 1081 are currently being staffed within the

Department. Based on preliminary information, all pilot programs appear to have been successful in demonstrating the potential benefits of cooperative action programs.

IMPLEMENTATION OF THE BOTTOM-UP REVIEW

Question. What do you see as the primary actions that must be taken to implement the Bottom-Up Review (BUR) in the context of the current and anticipated levels of defense funding?

Answer. First, we must maintain the force structure laid out in the BUR. U.S. forces must be able to accomplish a wide range of missions, including: deterring and, if needed, cooperating with allies to defeat regional aggression; sustaining a robust overseas presence; and being able to conduct a wide range of operations, including smaller scale contingencies and peace operations.

Second, we must also maintain the high readiness of our forces. In fact, Secretary Perry has made readiness his number one priority and has devoted special efforts to ensure the readiness accounts are adequately funded and that monitoring mechanisms for readiness are in place.

Third, we must continue to field the enhancements to our forces that were highlighted in the BUR, such as improved strategic mobility through airlift and sealift modernization.

Finally, we must maintain our S&T and R&D funding investments in innovation to keep us well ahead of our adversaries.

Meeting our long-term recapitalization needs will require not only the real budget growth now programmed for fiscal year 2000 and 2001, but also careful phasing of acquisition programs and achieving, over the intervening years, reductions in other accounts, chiefly infrastructure and overhead.

INFLATION PROTECTION

Question. If the defense topline is not increased for higher inflation in the same way it was lowered when inflation was assumed to be lower, what management problems would that present in terms of the responsibilities traditionally performed by the Deputy Secretary of Defense?

Answer. The President's budget includes a prudent multiyear defense program, which is priced to accommodate the current projections of inflation. If inflation increases, the preferred course is to increase the defense topline. If the topline were not increased, the Deputy Secretary would lead the Department in an effort to reduce the program in a manner that would accommodate higher inflation with the least impact on priority DOD programs.

BALANCED BUDGET AMENDMENT

Question. What is your assessment of the impact of the, now dormant but always possible, balanced budget amendment on the ability to provide for the common defense and to properly manage programs of the Department of Defense?

Answer. Defense spending constitutes about half of Federal discretionary spending and therefore would be very vulnerable under such an amendment. Major DOD reductions to balance the budget could jeopardize the Department's ability to meet mission requirements. Additionally, every year defense could be subject to cuts to compensate for an economic downturn, higher interest rates, and other changes. Such changes should not be the basis for deciding how much to spend on defense.

Question. What do you believe will be the impact of the budget recently announced by the Senate?

Answer. Senate Budget Resolution adopts the topline of President Clinton's defense request through fiscal year 2000. However, the Resolution's defense topline for 2001 and 2002 is lower than what DOD projects as necessary for the recapitalization plan approved by the President, and therefore would undermine that plan.

PUBLIC/PRIVATE RESPONSIBILITIES

Question. What criteria should be used in deciding whether a Government activity should be performed by a public or a private entity?

Answer. First, I believe that wherever the Government can rely on the private sector, it should. The Government should not, as a general rule, compete with its citizens. The Roles and Missions Commission found that in the past the Government had to create and operate many activities because they did not exist in the private sector. In many places that is no longer true. As a result, the Commission recommended an aggressive effort to move activities out of Government and into the

private sector when it can meet DOD's needs. Of course, privatization is not a cure-all. Inherently Governmental tasks must stay within Government.

Question. To the extent that activities are transferred to the private sector, what degree of oversight and supervision should be undertaken by the Government to protect the interests of the taxpayers?

Answer. Clearly, supervision is necessary, and mechanisms must exist to provide for necessary control. But there is no automatic rule here. We probably need to improve the training of our base commanders and contracting personnel to manage service contracts as well as the in-house workforce.

Question. Under what conditions, if any, would it be appropriate to transfer to the private sector an activity that would likely require performance by a single source over an extended period of years?

Answer. It is my understanding that the Competition in Contracting Act is applicable and requires the Government to compete requirements, except in certain limited circumstances where competition is not practical.

Question. If an activity is awarded to a sole source in circumstances where it is unlikely that any other source would be likely to compete in the foreseeable future, how would the Government maintain a reasonable control over costs?

Answer. The best way to control cost growth is to understand a supplier's costs and negotiate a fixed price contract whenever possible. It is also possible to benchmark a service with analogous providers to ascertain likely costs.

Question. What are your views on whether DOD should privatize any of the following:

- a. Health care?
- b. Legal services?
- c. Commissaries?
- d. Housing?
- e. Depot maintenance?
- f. Financial management?

Answer. I am aware this is a controversial issue, and there are many viewpoints that need to be heard and considered. I cannot speak today for Secretary Perry and the Department on this issue or say specifically to what extent Government activities in each of these areas should be transitioned to commercial suppliers.

Question. Do you recommend any changes in the current laws or policies that affect the Department's ability to privatize these functions?

Answer. There are several that come to mind. I understand that DOD is prohibited from outsourcing fire fighters and guard services, or more than 40 percent of its depot maintenance work. A recurring Appropriations Act general provision requires the Department to perform extensive analysis and then certify to Congress the determination of the most-efficient operation for commercial activities. These requirements, however well-intentioned, serve to deter reliance on commercial sources even when it makes sense to do so.

DEPARTMENT OF DEFENSE MAINTENANCE DEPOTS

Question. The National Defense Authorization Act established a Department of Defense Depot Task Force to review a whole series of issues in the area of depot maintenance in the military services.

What role do you think the DOD maintenance depots play in the overall logistics and readiness posture of the military services?

Answer. The DOD depot maintenance system exists to provide a ready and timely source of repair of those mission essential weapon systems that support the Joint Chiefs of Staff approved scenarios.

Question. In your view, what role do the DOD maintenance depots play in our overall industrial base capability?

Answer. They have provided an important capability to the DOD. They have ensured that the facilities, equipment, and skilled personnel, needed in the time of a contingency, are available and ready.

Question. What do you think is the proper balance between DOD depots and the private sector for DOD depot maintenance workload?

Answer. The Department's policy has been that work should be given to the DOD depots to the extent required to sustain a certain level of in-house maintenance capabilities. Beyond those levels, it is DOD policy that depot maintenance workload should be performed in the private sector.

Question. In 1993, the General Accounting Office criticized DOD's base closure and realignment recommendations to eliminate excess depot maintenance capacity because DOD's review process did not look at requirements in this area on a DOD-wide, cross-service basis.

Do you plan to look at DOD depot maintenance requirements on a cross-service basis if the Department's 1995 Base closure conclusions do not satisfy the GAO perceived shortcomings?

Answer. Secretary Perry has forwarded a good set of recommendations to the Base Closure and Realignment Commission, and I would urge that Commission, the President and the Congress to accept those recommendations. Beyond that, I believe DOD should be looking across Service lines to satisfy depot maintenance requirements.

Question. How will you ensure that the process needed to overcome what GAO labeled "service parochialism" in this area in 1993 is established and carried out?

Answer. A mechanism to overcome service parochialism in the area of depot maintenance is already in place. The Department established the Defense Depot Maintenance Council, or DDMC, headed by the Deputy Under Secretary of Defense (Logistics) and including the senior logisticians from each of the services and the Defense Logistics Agency. For aircraft, the largest commodity used across all services, the Commission on Roles and Missions recommends establishing a single management element to coordinate depot workload and increase inter-servicing.

Question. The Conference Report Statement of Managers on the National Defense Authorization Act for Fiscal Year 1994 directed "that the Secretary of Defense should, to the maximum extent possible, compete the depot maintenance workload from those depots that are closing among the remaining DOD depots in order to reduce costs and improve the overall efficiency of DOD depot operations. Such competition between depots should not impede the schedule for closing depots under the base closure process." What plans does DOD have to compete the workload from closing Navy depots among other DOD depots?

Answer. It is my understanding that the workload displaced as a result of the closing shipyards has largely gone away because of force structure reductions. Regarding the workload emanating from the closing Naval Aviation Depots, the Navy utilized measures of merit in selecting new sources of repair. Some workload was interserviced, but the majority was placed in the remaining three Naval Aviation Depots resulting in increased efficiency of those remaining activities.

Question. A recent DOD study entitled *Integrated Management of Department of Defense Depot Maintenance Activities* concluded: "Depot maintenance has limited leverage to protect the health of the U.S. industrial base. First, original equipment manufacturers, because they carry large engineering staffs and other related burdens, have difficulty competing with contractors focused on maintenance who do not provide these capabilities. Second, depot maintenance is a small component of the industrial base."

Do you agree with this conclusion?

Answer. I agree that from the standpoint of the U.S. industrial base as a whole, depot maintenance is not a predominant factor.

Question. Do you believe that DOD should change the current allocation of depot maintenance workload between DOD depots and private contractors?

Answer. I support Secretary Perry's call to eliminate the so-called 60/40 law. In addition, the Roles and Missions Commission made recommendations for increasing reliance on the private sector for depot maintenance.

READINESS

Question. In the 1970s, the military services had serious readiness problems. President Clinton and Secretary Perry have indicated that they are committed to maintaining the readiness of the current force even as we reduce the defense establishment and the defense budget.

If confirmed as Deputy Secretary of Defense, what management actions will you take to ensure that you are kept informed on the current readiness status of the military services so that we do not return to the "hollow forces" of the late 1970s?

Answer. I share the commitment of the President and Secretary Perry to maintain the readiness of our forces to carry out our national security strategy and will use all means at my disposal towards that end.

Question. What funding and management actions should receive the highest priority attention in terms of maintaining readiness?

Answer. First, Secretary Perry has stated that people are our most important asset for readiness. If confirmed, I would ensure our people have first priority. This will involve, among other actions, ensuring that the President's initiatives to fund pay and quality-of-life improvements are carried out. In addition, I would work to ensure adequate funding to maintain the current readiness of our forces.

FORCE QUALITY

Question. The single most important element in maintaining a superior fighting force is the quality of the men and women in that force, particularly when forces are being reduced.

If confirmed as Deputy Secretary of Defense, what management actions will you take to ensure that you are kept informed of current trends in force quality?

Answer. Personnel readiness is synonymous with the quality of the force, and that quality is a function of how well we: (1) recruit good people, (2) provide them training to develop and hone the requisite skills, and (3) reward them for their service.

If confirmed, I will be chairing the Senior Readiness Oversight Council and the Senior Panel on Recruiting. These mechanisms monitor trends in force quality, and I assure you that any emerging problems will receive my personal attention and response.

Question. What funding and management actions should receive the highest priority attention in terms of maintaining force quality?

Answer. I believe there are three elements to maintaining force quality. We must recruit quality people, train them properly, and treat them and their families right.

MILITARY JUSTICE

Question. The Deputy Secretary of Defense traditionally has functioned as the alter ego to the Secretary of Defense. The Secretary, as the senior official in the Defense Department, is responsible for establishing policy, issuing directives, and setting standards of conduct for DOD personnel, including members of the armed forces. The Secretary is in the military chain of command, and has authority to convene courts-martial. The Secretary also is viewed as the person responsible for addressing Congress and the public on significant incidents involving allegations of misconduct which may result in trial by courts-martial.

What steps will you take, as Deputy Secretary of Defense, to ensure that your statements and actions on specific incidents do not create problems of unlawful command influence that could affect specific cases?

Answer. In my view, the most important precaution against actual or perceived unlawful command influence on the part of the Deputy Secretary of Defense is awareness. If confirmed, I will remain sensitive to the issue and alert to potentially problematic situations, in order to avoid any actions or statements creating problems or the perception of unlawful command influence.

SELECTION OF OFFICERS FOR PROMOTION

Question. The fair and impartial conduct of the promotion selection process is a matter of great concern to the Senate Armed Services Committee. In recent years, the Committee has issued a number of reports and has developed legislation, which was enacted, addressing serious problems related to the integrity of the selection promotion process. As Deputy Secretary of Defense, what steps will you take to ensure that the process, including the procedures governing provision of information to selection boards and throughout the confirmation process, is conducted in a fair and impartial manner?

Answer. I agree that it is critical that the Officer Promotion process be fair and impartial. I believe the Department of Defense has in place procedures to ensure the selection board process is conducted in a fair and impartial manner.

UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Question. The National Defense Authorization Act for Fiscal Year 1995 specifically directed, in statute, that the Uniformed Services University of the Health Sciences not be closed. The accompanying report language directed that the Department of Defense take no administrative or budgetary action which would presume closure. The committee was disappointed to discover that letters of acceptance to applicants for academic year 1995 indicated that the future of the University was in doubt, and that the Department submitted a legislative proposal to close the University.

Do you personally support closing the Uniformed Services University of the Health Sciences?

Answer. The National Performance Review recommended closure of the USUHS on the basis that military physicians can be acquired and trained more economically through other means, including the Health Professions Scholarship Program. I support the administration's position with respect to closure.

It should also be noted that Secretary Perry advised Congress that DOD would not close the USUHS until Congress provides legislative authority to do so. In fact,

the President's budget request provides resources to support fully the University at its current level of operation in fiscal year 1996.

Question. What is your personal opinion of the value of the Uniformed Services University of the Health Sciences to the military services and the Public Health Service?

Answer. I am aware that the University receives high marks from many supporters with respect to the quality of its programs. However, the paramount issue has and continues to be cost effectiveness.

Question. Will you assure the committee that you will not take any administrative or budgetary measures in relation to the University which might lead an observer to conclude that the Department intends to close the University until and unless the current law is repealed?

Answer. I can assure you that if Congress, after receiving the required GAO report, affirms its prohibition on closure of the University, the Department will comply with that decision.

CIVILIAN PERSONNEL

Question. In the fall of 1994, the Department of Defense announced an increase and an acceleration in the planned civilian work force reductions. There is a widespread perception that this decision was based on the need to generate savings to pay for other programs or to force the civilian work reductions when expressed as a percentage to match the percentage of military force reductions.

To what extent were more substantive factors such as the civilian contribution to military readiness; force structure changes; and civilian work load changes considered in assessing the wisdom of increasing and accelerating the civilian work force reductions?

Answer. I understand that all of the substantive factors mentioned above were considered in accelerating the civilian work force, reductions.

Question. To what extent, if any, are the departments and agencies authorized to time their civilian work force reductions to reflect their specificity in terms of force structure changes and work load and/or to shape them in light of the future needs of the service?

Answer. It is my understanding that departments and agencies did time their civilian workforce reductions based on force structure changes and workload.

Question. Recently, the Congress provided the authority for the Secretary of Defense to conduct personnel demonstration projects at Science and Technology Reinvention Laboratories.

What progress has been made in using this authority to encourage demonstration projects tailored to the needs of individual laboratories?

Answer. I understand that the Department is proceeding with the demonstration projects authorized by the 1995 Authorization Act. These projects allow labs to waive statutory and regulatory restrictions on procedures for promoting, separating and compensating Defense employees. Four Army, three Navy, and four Air Force labs are at various stages of developing several different project proposals that reflect their unique cultures, mission areas, and employee and union interests.

Question. How is the Department ensuring that any tendency toward corporate frameworks, artificial constraints, and unnecessary coordination requirements do not delay the evaluation, approval and implementation of individual projects?

Answer. I believe the Department appreciates and has taken good advantage of this unique opportunity to improve civilian personnel management. However, the current demonstration project submission, review, and approval process is somewhat complex. The Department is working with OPM to expedite the process.

Question. Given certain assumptions, the modernization and regionalization of civilian personnel management functions could provide a tremendous opportunity for enhanced customer service and substantial savings in overhead and staff resources. Without a modern, standard personnel data system in place and without the communications network in place to support such a data system, the consolidation of personnel servicing into large service centers may not enable the realization of substantial cost savings without an acceptable degradation in customer service.

Question. Does the Department intend to consolidate personnel servicing before a modern, standard personnel data system and its supporting communications network is in place? If so, what level of degradation in customer servicing does the Department expect to experience?

Answer. It is my understanding that regionalization and systems modernization are moving forward simultaneously. The Department expects that significant savings and other benefits can be achieved without any degradation in customer service beyond what could normally be expected during the turbulence of downsizing.

Question. What benefits does the Department expect to realize in choosing this course of action?

Answer. I am advised that regionalization alone is expected to improve the ratio of civilian personnel to service population. Full implementation of the modernized system, coupled with regionalization, will lead to a reduction of the existing personnel staff by half. It will also save over \$156 million a year.

Question. The administration's report: "Cutting Red Tape — Creating a Government That Works Better and Costs Less" in referring to "Full Time Equivalents" (FTEs) provides that "The President should direct OMB and agency heads to stop setting FTE ceilings in fiscal year 1995."

What role do FTE ceilings play in the Department's management of the civilian work force?

Answer. The Department continues to oppose external, arbitrary employment controls (FTE or end-strength) on the civilian work force that are not closely related to workload and mission requirements.

Question. Do you believe that management by end strength or by FTEs—as opposed to managing and budgeting by ceilings on operating costs—is appropriate for managing the civilian work force of the Department of Defense as a whole?

Answer. If the question is whether the Department would prefer to manage by ceilings on operating costs or by some other metric, I would expect the Department would prefer management by operating costs.

Question. For managing the civilian work force in the Military Departments?

Answer. Whatever metric is used for the Department of Defense as a whole should be used for its subordinate elements.

Question. For managing the civilian work force in the individual agencies within the Department of Defense?

Answer. Whatever metric is used for the Department of Defense as a whole should be used for its subordinate elements.

ROLES AND MISSIONS

Question. As Chairman of the Commission on Roles and Missions, you issued a report addressed to the Secretary of Defense containing a number of recommendations on a wide range of topics. If confirmed as Deputy Secretary of Defense, you may be required to make decisions on whether to and how to implement many of those recommendations.

Is this a conflict of interest?

Answer. I do not believe there is a conflict of interest. Rather, I believe my participation on the Roles and Missions Commission will, if I am confirmed as Deputy Secretary, contribute to the Department's consideration of the Commission's recommendations.

Question. Will you recuse yourself from decisions pertaining to recommendations of the Commission on Roles and Missions?

Answer. I do not intend to recuse myself from discussions within DOD on the Commission's recommendations.

Question. The legislation that established the Commission on Roles and Missions of the Armed Forces was predicated on the Commission's independence from the Pentagon. Additionally, as stated in the Statement of Managers of the Committee of Conference on the National Defense Authorization Act for Fiscal Year 1994, the conferees "expect the commission to provide an adequate basis for further action on roles and missions and believe that it will energize the Department of Defense to address these issues more comprehensively."

If confirmed as Deputy Secretary of Defense, what role do you expect to play in the Secretary of Defense's review and comments on the Commission's report and in the Department of Defense's future actions on roles and missions?

Answer. I hope I can do exactly what the Conference Committee urged: to energize the Department of Defense to address these issues more comprehensively.

Question. If you expect to play a role in the Secretary's review and in the Department's future actions on roles and missions, do you believe that this is consistent with the legislation that established the Commission?

Answer. Yes. The Commission has functioned independently of the Pentagon, a fact not affected by the prospect of my appointment as Deputy Secretary.

Question. If you do not expect to play a role in the Secretary's review or the Department's future actions on roles and missions, how can you fulfill your responsibilities when so many of the Department's actions impact on roles, functions and missions issues?

Answer. As stated above, I do expect to participate in the Department's consideration of the Commission's report.

Question. If you are confirmed as Deputy Secretary of Defense, who will be designated and available to present and support the findings of the Commission in formal and informal proceedings?

Answer. Under the statute, the Commission continues until 30 days after the Secretary submits his comments to the applicable congressional committees. The statute also makes provision for the Chairmanship of the Commission. I anticipate that, if I am confirmed as Deputy Secretary, the Secretary will take action to assure a smooth transition of the Commission Chairmanship and complete fulfillment of the Commission's remaining duties.

Question. Your participation as Chairman in meetings of the Roles and Mission Commission has gone on for approximately a year. How will this experience impact on your ability to serve as the Deputy Secretary of Defense?

Answer. My experience on the Commission gave me the opportunity to delve into a number of the critical issues facing the Department. Perhaps more importantly, it required me to think broadly about the roles and missions of the DOD for the next 20 years. I believe this experience gives me additional background, if I am confirmed, to help address those and other issues in the coming months and years.

UNAUTHORIZED APPROPRIATIONS

Question. It is the view of this committee that all spending must be both authorized and appropriated. This committee recently sent a letter to the Secretary of Defense describing a procedure which would be required prior to obligating any funds which have been appropriated but for which there is no specific authorization.

Will you assure the committee that you will not obligate or approve obligation of any funds for which there is not a specific authorization and appropriation?

Answer. The appropriated-but-not-authorized issue is complicated. We respect the prerogatives of all of our oversight committees. This issue pulls the Department into the middle of what is essentially a jurisdictional problem among its oversight committees. A solution offered by one entity is usually objectionable to the other entity, and vice versa. I will certainly work hard with all parties to try to develop a feasible solution to the dilemma.

Question. Will you agree to work with the authorizing and appropriations committees in an attempt to resolve the dilemma caused by unauthorized appropriations?

Answer. Yes.

PEACEKEEPING AND HUMANITARIAN MISSIONS

Question. You are quoted in the May 1995 Armed Forces Journal International, with respect to the costs of the Defense Department's participation in peacekeeping and humanitarian missions, as stating that "it seems to me that the executive branch ought to spend some time and energy making sure that some of the other capabilities in State, the Justice Department, and in some other places are available when these crises arise to assist the Department of Defense." You are also quoted as stating with respect to the Coast Guard's participation in humanitarian activities that "I think they can teach much of the rest of the Government a lot about this."

If confirmed as Deputy Secretary of Defense, how would you go about involving other agencies in these missions to assist the Defense Department?

Answer. The Department, because of its unique and comprehensive capabilities, is called upon often to undertake immediate actions when there is a crisis situation. However, once the immediate crisis has passed some tasks are best performed by other agencies, such as delivery of relief, development assistance, and reform of civic institutions. The key to resolving this issue is better interagency planning.

Question. Would you elaborate on what you believe the Coast Guard can teach the rest of the Government with respect to the conduct of humanitarian activities?

Answer. The Coast Guard's success in meeting its multi-mission responsibilities results from effective coordination of all aspects of operations, from planning through execution, with DOD and other Federal, State, and local agencies.

DOD ORGANIZATIONAL ISSUES

Question. More than 8 years after the enactment of the Goldwater-Nichols DOD Reorganization Act of 1986, there have been some commentaries critical of the authority and influence that the Chairman and Vice Chairman of the Joint Chiefs of Staff have gained partly due to the inability of civilian officials in the services and the Office of the Secretary of Defense to match the expertise and continuity that resides within the Joint Staff.

What is your view on this issue?

Answer. I do not share that view. A major purpose of the Goldwater-Nichols legislation was to strengthen the roles of the CJCS/VJCS in order to improve the qual-

ity of advice to the National Command Authorities. This has been done. In addition, the quality of the civilian staffs at OSD and the services is high. That said, I do believe that the quality of career civilians and political appointees can be enhanced through improved policies and personnel management.

Question. What is your view on the role of the service Secretaries?

Answer. The service Secretaries will remain important in overseeing the execution of Service Title 10 responsibilities—to include helping us make tough choices concerning force modernization and development of future defense programs.

Question. Do you see either a diminished or changed role for the service Secretaries either based on the Roles and Missions Report or other changes in the joint decisionmaking arena?

Answer. No.

Question. What is your assessment of the contention by some that the Goldwater-Nichols legislation is moving the Chairman of the Joint Chiefs and the Joint Staff toward a "German General Staff" model?

Answer. Fundamentally, we cannot meaningfully compare the more effective Joint Staff that has emerged as a result of the Goldwater-Nichols legislation to a "German General Staff model" because the overall context of civil-military relations is quite different between 19th century Germany and that which exists today in the United States. We must strike the proper balance between a strong and capable Joint Staff and the civilian and military personnel serving in the Office of the Secretary of Defense and the services. I believe this balance is being maintained.

Question. What do you see as the role of the service Chiefs?

Answer. They wear several hats, but the two most important are: as members of the JCS, to assist the Chairman in providing the best military advice to the NCA; and as the senior officer in their respective service, to work with the Secretaries of the Military Departments to ensure they provide well trained, equipped, and ready forces (units and individuals) to the combatant CINCs, now and in the future.

Question. What have you learned from the Roles and Missions Commission with respect to the issue of roles of Service Chiefs as force providers and the CINCs as force employers?

Answer. They both play indispensable roles that have evolved in law and practice. CINCs are responsible for employing military forces in pursuit of national security objectives. The services provide the military capabilities essential to the accomplishment of missions assigned to the CINCs. The challenge is to assure cooperation and trust.

NON-TRADITIONAL OPERATIONS

Question. The post-Cold War period has seen a significant increase in the number of military operations conducted by the Armed Forces of the United States. Many of these operations have involved non-traditional operations, such as peacekeeping, peace enforcement, embargo enforcement, no-fly zone enforcement, humanitarian relief, disaster assistance, and counterdrugs. Many of these operations have been conducted under United Nations' (U.N.) auspices and some operations are being conducted under U.N. command, including the command of U.S. forces by a non-U.S. commander. Several operations are being conducted simultaneously.

Do you expect a continuation of these types of non-traditional operations?

Answer. The Department of Defense will continue to undertake these types of operations, as directed, whenever it is in the U.S. interest to support or participate. I believe that the types of crises, conflicts and threats that require these operations will continue to arise.

Question. If so, what do you believe these operations mean in terms of education, training, intelligence and the development and testing of joint doctrine, tactics, techniques, and procedures?

Answer. These issues fall under the specific purview of the Chairman of the Joint Chiefs of Staff, services, and the intelligence community, and I believe that these organizations are tackling these tough issues.

Question. Are you concerned with the impact that today's high operational and personnel tempo is having on morale and readiness?

Answer. While both OPTEMPO and PERSTEMPO must be constantly monitored, I do not believe that we have an overall morale or readiness problem. Nevertheless, the Department does need to be careful about the demands we place on our people, in particular a few specialized units that are often in high demand. The Department is taking steps to ensure that the deployment demands for these specialized units are kept within acceptable limits.

Question. Are you concerned that a U.S. embrace of peacekeeping and other non-traditional missions risks dissipating our military power in areas where we have no vital interests?

Answer. U.S. involvement in peace operations to contain and prevent conflicts can serve important American interests. Such involvements must, of course, be undertaken very selectively. Our involvement in these operations must not be allowed to reach a scale that would undermine our ability to protect our vital interests.

Question. Are you comfortable with the exercise of operational control by non-U.S. commanders over U.S. Armed Forces?

Answer. I agree with the administration's position as articulated by Secretary Perry and General Shalikashvili.

Question. Are you comfortable with the capability of the United Nations to exercise adequate supervision of field operations?

Answer. I understand that the U.N.'s capability in this regard has improved, but more remains to be done.

Question. What is your view as to the extent to which interagency coordination and cooperation both in Washington and elsewhere is capable of producing a united effort?

Answer. I believe that the interagency process continues to improve. The current process ensures that the voices of the major policy makers are heard and a united effort is initiated and sustained. However, there is always room for improvement.

FINANCIAL MANAGEMENT

Question. Both Secretary of Defense Perry and the DOD Comptroller, Dr. Hamre, have testified before this committee that the Department of Defense has serious financial management deficiencies.

The General Accounting Office recently characterized DOD's financial management systems as "the worst in Government . . . the product of many years of neglect", and a GAO official recently testified before the House Budget committee that:

Our work clearly shows that DOD wastes billions of dollars each year because of long-standing inefficiencies in its day-to-day operations and because it has been slow to take advantage of opportunities to reform systems and processes, make further reductions in infrastructure, and reduce costs.

Defense spending has been declining for 10 years, and given current efforts to finally balance the federal budget, the fiscal pressure on the defense budget is likely to continue.

What is your evaluation of the effectiveness of the financial management reforms DOD has undertaken to date?

Answer. I agree with the high priority that Secretary Perry has given to this problem. From my limited exposure to them, the reforms seem to be sufficiently comprehensive. I look forward to being able to make a detailed evaluation of their effectiveness. The key issue in my mind is their implementation.

Question. What additional changes, if any, are needed?

Answer. I am not well enough informed on this issue at this moment to offer additional suggestions, but I would seek to answer this question when evaluating the effectiveness of the reforms thus far undertaken.

Question. Does DOD need any additional resources in order to improve its financial management system?

Answer. I do not know, but again I would seek to answer this question when evaluating the effectiveness of the reforms.

Question. Does DOD need any changes in the law to improve its financial management system?

Answer. If after analyzing the reforms, changes appeared necessary, I would vigorously work for their approval.

SENIOR READINESS OVERSIGHT COUNCIL

Question. Last year, the Department set up a Senior Readiness Oversight Council (SROC) chaired by the Deputy Secretary of Defense. Traditionally the services and the JCS have been responsible for readiness. What is your understanding of the duties of the SROC and division of decisionmaking responsibility for readiness issues with respect to the Military Departments, the JCS, and the SROC?

Answer. The SROC provides senior civilian and military leaders with a broad overview of readiness of our forces today and in the near future. The SROC provides a forum for the JCS, represented by the Vice Chairman, to present the collective CINC assessment for readiness, and to assess how the forces supplied by the Military Departments will meet it.

ENVIRONMENT

Question. In your view, do environmental programs contribute to the readiness of the Armed Forces?

Answer. A key readiness requirement is continued access to air, land and water for training and testing. Careful use of these resources ensures our forces will continue to have access to them to train and operate. In addition, most installations are small "cities," where day-to-day military operations are intimately connected with everyday environmental compliance.

Question. Do current budget priorities strike a proper balance between the need to address environmental issues and the need to provide for other priorities, including military training?

Answer. I believe so. DOD is subject to the same environmental, health and safety regulations as private industry. It must plan and budget for environmental compliance just as any large company would. The DOD budget reflects DOD's commitment to meet environmental laws and regulations, while also addressing other priorities.

Question. What is your assessment of the DOD environmental budget in terms of achieving the proper balance among the competing needs for cleanup, compliance, conservation, pollution prevention, and technology?

Answer. I believe the budget represents a reasonable balance among these important environmental strategies.

Question. Are any changes needed to Federal environmental laws to ensure that DOD cleanup and compliance priorities are established by a rational assessment of DOD environmental priorities?

Answer. I am not well enough informed about possible changes, however, to offer specific suggestions for statutory amendments at this time.

Question. Do current procedures ensure that the technology programs do not duplicate activities which are, or reasonably can be undertaken in terms of addressing environmental issues in the private sector?

Answer. The Department's environmental technology programs are structured such that our technology investments do not duplicate but rather leverage, private sector efforts. They target DOD investments to those areas where the private sector has not made sufficient progress, or where it is in the Department's best interest to partner with the private sector.

Question. Are there any changes in the environmental and base closure laws that you would support to facilitate and expedite the transfer of closing bases for civilian use?

Answer. It is my understanding that the Military Construction bill forwarded by the administration includes three provisions that would amend the Superfund law to promote reuse of property at closing bases.

MODERNIZATION

Question. In the next 5 years, which acquisition programs should receive the highest priority in terms of allocation of modernization funds?

Answer. As the Secretary of Defense recently testified before the House Budget Committee, the Department's current budget proposal is designed to sustain today's force structure, which will support two nearly simultaneous major regional conflicts. The challenge, the Secretary said, is to ensure that the Department's budget proposals can sustain this capability in the future. I am not prepared now to discuss which specific acquisition programs should receive highest priority. But, if confirmed, I plan to work closely with the Secretary to ensure that the Department's resource allocation process is responsive to the national military strategy.

Question. Has the Department achieved the appropriate balance between modernization and other budgetary functions?

Answer. The Secretary of Defense has a difficult challenge in balancing many important Department efforts. For example, as the Secretary stated in recent testimony before Congress, the current budget proposal aims to do several things at once: maintain the force structure, protect readiness, ensure quality of life, and lay the foundation for the recapitalization of the Department's forces. I am not prepared now to give a specific assessment of the balance between modernization and other functions as reflected in the Department's budget proposal. But, if confirmed, I plan to work closely with the Secretary to assist him in striking the important balance between modernization and other important functions.

Question. If not, should modernization funds be increased or decreased?

Answer. As noted above, I am not able to offer an informed judgment on this question at this time.

Question. If so, what programs should be affected by any such increase or decrease?

Answer. As noted above, I am not able to offer an informed judgment on this question at this time.

MILITARY TECHNICIANS

Question. Military technicians are critical to the National Guard's day-to-day operations. What is your view of the impact of proposed reductions in military technicians on the effectiveness of National Guard operations?

Answer. The fiscal year 1996 President's Budget contained a military technician program with significant reductions. As DOD moves forward on this matter, it is important to preserve the Reserve components' ability to conduct peacetime operations to reduce Active PERSTEMPO/OPTEMPO. I understand that Secretary Perry is reviewing options to allocate these military technician cuts in a manner that would protect early deploying units, while still streamlining headquarters and overhead functions.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR STROM THURMOND

Senator THURMOND. Do you believe that other nations are motivated to acquire nuclear weapons by the existence of U.S. nuclear forces?

Dr. WHITE. A few countries—Iran, Iraq, and Libya—may be partially motivated to acquire nuclear weapons to counter perceived U.S. military and nuclear capabilities. However, nearly all nuclear proliferants, including these, are usually motivated much more by regional security factors such as countering neighboring weapons of mass destruction capabilities or general regional imbalances. Proliferants are also motivated by regional ambitions and a perceived sense of prestige arising from possessing nuclear weapons.

Senator THURMOND. Dr. White, environmental funding for compliance, conservation, and pollution prevention is funded out of the O&M account. What priority do you think environmental funding should occupy in relation to other O&M funded activities?

Dr. WHITE. Compliance, conservation and pollution prevention activities are directly related to the health of our personnel, the readiness of our troops, and the modernization of our weapons systems. As such, they must occupy a high priority in the budget of the Department of Defense.

Over 60 percent of the compliance budget is required to open the gates of a military installation for business. These funds cover the correct handling and disposal of hazardous materials resulting from the maintenance and operation of the weapon systems, the monitoring and testing of water supplies to the installation and the effluents from the installation to ensure they pose no risk to personnel or the environment, the purchase of permits that authorize us to operate heating plants, sewage treatment plants, etc., and the training and salaries of personnel who conduct these activities. The remaining forty percent of the compliance budget is directed to projects to fix systems that currently do not meet safe operating standards or that will in the future be unable to meet such standards. These include the upgrade or replacement of sewage treatment plants to meet sanitation standards, the replacement of underground storage tanks to protect valuable water supplies, and the construction of fire training facilities to ensure our firemen are ready to meet any emergency. Since compliance expenditures ensure that the environment in which our men and women must work and live is safe, it must therefore have a high priority in our budget.

The conservation budget represents a very small portion of the overall Defense budget yet has important influence on our ability to train. Funds are used to track migratory patterns of birds so that they can be avoided by low flying aircraft, thereby saving numerous lives and aircraft each year. Funds are also used to identify important natural and cultural resources so that they can be fully protected during training exercises. In some instances, funds have been used to monitor or enhance certain species, thereby permitting more effective use of available ranges. Also funds have been used to implement integrated management plans that reduce erosion and foster revegetation, thereby providing more realistic training areas. Since conservation expenditures contribute directly to the quality of the training our men and women receive, it too must have a high priority in our budget.

Pollution prevention is the key to the future. Only through a well thought out and applied program can we begin to stop the steady rise of the environmental costs and, hopefully, begin to bring them down. By eliminating the use of hazardous materials or the use of processes that generate pollutants, we can reduce our compli-

ance costs, reduce the health risks to our people and reduce future cleanup liabilities. In addition, the search for environmentally more benign materials and processes often has the complimentary effects of improving performance and reliability. Such has been the case of the aqueous washers that replaced solvents cleaners for critical aircraft parts. The new approach produces no hazardous waste, is faster, and has fewer rejects than the old system. Accordingly, since pollution prevention is so critical to controlling future costs and does contribute directly to the modernization of our weapon systems, it, like compliance and conservation, must remain high on our budget priority list.

Senator THURMOND. Dr. White, do you believe that there is a need to press DOE to submit their decision on a reliable source of tritium to this session of Congress? Furthermore, if DOE selects the unproven accelerator technology will you accept it or insist on the proven reactor technology?

Dr. WHITE. I do not believe that there is a need to press DOE to submit their decision, as they plan to publish their Record of Decision on a tritium source and location before the end of this year. Moreover, the Department of Defense is already on record in support of accelerator technology as the primary source and existing light-water reactors as the backup tritium production means. The timelines associated with the availability of any new advanced-technology reactor using plutonium fuel are not compatible with current stockpile projections for the next 15 years, a critical period for stockpile maintenance.

Senator THURMOND. Do you believe that the United States should continue to dismantle its nuclear stockpile without concrete evidence that Russia is dismantling its nuclear weapons in the same amount and at the same rate?

Dr. WHITE. U.S. requirements for our nuclear weapon stockpile are based on national security objectives, which take into account the international security environment, including the status of Russian nuclear forces. In accordance with Nuclear Posture Review decisions, the current U.S. stockpile plan provides an ample hedge to meet any significant change in the world situation.

Russian officials have indicated that they are dismantling about 2,000 nuclear warheads per year, and though we cannot confirm this rate, indications are that dismantlement is in fact occurring. The United States and Russia are currently discussing ways to make dismantlement more transparent.

Senator THURMOND. Dr. White, the United States is presently the only nuclear weapons state which is abandoning its actual manufacturing capacity to produce nuclear weapons. Will you require DOE to restore the manufacturing capacity for nuclear weapons?

Dr. WHITE. While the Department of Defense has no requirement for manufacturing new nuclear weapons at this time, we have not eliminated a requirement for DOE to repair, re-manufacture, or to replace warheads in the enduring stockpile as necessary. While parts of the old production complex are closed or undergoing modification, I am not aware that DOE has abandoned its commitment to furnish a weapons fabrication capability, nor can they afford to maintain or design a new production capability at capacities possessed during the Cold War. Most of DOE's fabrication base is currently in use for dismantlement activity, which can shift into repair or retrofit as necessary. Given our stockpile maintenance requirements, we believe that DOE will maintain an adequate weapon repair and fabrication base to ensure that the stockpile is safe and reliable as long as nuclear weapons remain a critical part of US national security strategy.

INDUSTRIAL BASE RESTRUCTURING

Senator THURMOND. Dr. White, the defense industry has undergone a massive restructuring in response to drastic cuts in our national security program. What role should the Department of Defense play in the industry restructuring process to ensure that we have an adequate technology and industrial base to sport our national security strategy?

Dr. WHITE. Industry consolidation is occurring in response to declining DOD procurements, increased international competition, and excess capacity. For the most part, DOD intends to allow the natural forces of the market to shape these normal and traditional business responses to declining demand. Nevertheless, these changes are vitally important to the Department, and it is taking steps to identify, evaluate, and, when necessary, act to preserve industrial and technological capabilities essential to meeting mission requirements.

First, the Department is preparing general guidance to assist us in making these "act/no act" decisions at the appropriate levels. This guidance will assist us in determining when the Department will take action (on a case-by-case basis) to preserve essential capabilities which would be at risk absent DOD intervention. We have con-

ducted several industry studies to identify and analyze the effects of industrial concerns to help us generate this guidance.

Second, in 1993, the Department chartered a Task Force on Antitrust Aspects of Defense Industry Consolidation to provide advice on how most effectively to participate in antitrust reviews of proposed mergers and acquisitions. We have focused our efforts on analyzing the effects to the Department on costs savings, potential loss of competition due to horizontal/vertical integration, and possible organizational conflicts of interest.

Senator THURMOND. Will there be a legislative package forthcoming from the Department regarding the endorsement of any Roles and Missions recommendations?

Dr. WHITE. The Department is in the process of reviewing the Roles and Missions Commission recommendations. This review will be complete by late August. We expect that once this review is complete, the Department will wish to submit a legislative package for consideration by the Congress.

Senator THURMOND. Do we need a BUR II?

Dr. WHITE. No, we are not rethinking or reconsidering the defense strategy and program developed in the Bottom-Up Review (BUR). The BUR provided the blueprint for sizing and shaping the U.S. general purpose forces and continues to be refined as the basis for the Administration's five-year defense program. Nevertheless, this BUR-based strategy and defense program blueprint is a "living" document. As such, the Department has recognized from the very outset that adequate force planning demands that we continually update: our assessments of the international environment we face; the defense strategy to protect and advance our interests in this setting; and the forces and other defense programs needed to underwrite this strategy in the context of the resources available to meet our defense needs. To date, follow-on analyses have upheld the basic tenets and findings of the BUR while guiding DOD in making modest adjustments in the plans and programs needed to implement U.S. defense strategy.

QUESTIONS SUBMITTED BY SENATOR DAN COATS

Senator COATS. Several reports in the news media have indicated that the Commission on Roles and Missions of the Armed Forces recommends that we inactivate all eight Army National Guard divisions because they have no role in National Security Strategy, citing no role in the two major regional contingencies as the basis for that position. However, it is our understanding that the DOD report on the Bottom-Up Review recognized the need for forces beyond those required to fight two major regional contingencies. As I recall, the Bottom-Up Review identified the need for additional forces in the Navy, the Marine Corps (both active and Reserve), the Air Force (both active and Guard), as well as "about" 22 National Guard Brigades—which the Army chose to organize as eight divisions—for that purpose.

Why did the Commission single out the Guard divisions—our only dual-status force under the governors and the President—for elimination when other areas could have been considered also?

Dr. WHITE. We did not single out the Army National Guard divisions or recommend them for elimination. What we said is that there are areas in the Reserve Components that need to be evaluated and, if found to be inconsistent with the strategy, any excess should be restructured to meet other needs that are unfilled within the same Service, or eliminated. Consistent with this approach, we suggested consideration of changing some combat forces to support roles. We specifically said that forces excess to the needs of the strategy should be eliminated from the Total force—the active or Reserve Components of the Service in question. This is sound management, and the responsible approach in a period of our history when budget dollars are going to get more scarce.

Senator COATS. Did the Commission consider the element of military "Presence" within the United States, as they appear to have given significant importance on International Presence? In other words, do you agree we need to maintain our hometown military as a Defense tie to our communities—especially during a period in history where we do not have conscription?

Dr. WHITE. We did not consider "Presence" within the United States as a specific mission to which forces—active forces—should be assigned or apportioned. However, we did recognize a general value of Reserve Component hometown associations and cited (on page 2-23 of our report) broader involvement of the American people with their Armed forces as one of two primary benefits of placing maximum reliance on reserve Component forces. (The other is that doing so conserves resources for other critical needs.)

Senator COATS. Finally, how much weight did your Commission put on finding adequate federal missions for the National Guard, in order to maintain their programmed strength level of 367,000 in 1999—the lowest level in 60 years?

Dr. WHITE. As indicated in my previous answer, we recognized the fiscal and social/political value of relying on Guard and Reserve forces, and called on the Department to incorporate these forces in operational plans and force structure decisions. Several recommendations call for increase reliance on Guard and Reserve forces. However, if we did not recommend a specific end-strength for any component, Reserve or active.

Senator COATS. Since the end of the Gulf War we have had an on-going debate about the ability of Army Guard and Reserve combat units to perform as well as active units after a reasonable post-mobilization training period—which common wisdom accepted as 60 days during the Cold War period. I understand that some believe we could resolve this issue—once and for all—by conducting tests or pilot programs that compare abilities of Army Guard and Reserve combat units against those of the lower priority active Army units performing the same missions and tasks, and that the Commission made such a recommendation.

Do you agree there would be some value in objective testing and pilot programs that would allow us to evaluate active, Guard, and Reserve combat units, using common criteria and procedures, so that we have the empirical data base for making more informed force mix decisions in the future?

Dr. WHITE. There would be great value in such effort. We specifically addressed this issue as part of our broad recommendation to further integrate Reserve Components. Our final report states that “. . . where significant uncertainties or differences of opinion exist,”—and here we were referring to just the sort of on-going debate over comparative ability to perform that you just described—we recommend that DOD establish a series of tests, experiments, and pilot programs to determine whether Reserve Component units can perform to standards and whether different organizational training arrangements would be more effective. We further stated that such a program will help match Reserve Component forces to requirements; identify the broadest set of opportunities for Reserve Component participation; clarify the resource levels needed to meet operational standards; and encourage innovation in the structure and use of the Reserve Components, hence improving the ability to employ Guard and Reserve forces.

Senator COATS. If confirmed would you be a proponent of such testing?

Dr. WHITE. Yes.

Senator COATS. What was the Commission's rationale for recommending repeal of the 60/40 mandate?

Dr. WHITE. The Commission's recommendation that the legislation that now requires 60% of the DOD depot-level maintenance workload to be performed in government facilities be repealed was based on staff research and Commission assessments in four specific areas; historical rationale for such mandates; estimates of core requirements; specific practices and experience of military departments; and prospective capacity and responsiveness of private industry.

Historical Rationale: the Commission found that the nominal rationale for mandating a dominant government role in the depot-level maintenance of military equipment was the perceived need for a “ready and controlled” source of such capabilities in order to ensure that the combat forces would receive timely support.

This concept arose at an earlier time when (1) private industry was incapable of building or supporting complex new weapons, thereby requiring the establishment of government arsenals and shipyards, and (2) national security planning mandated planning for sustained global war that might require the major equipment to be returned to the United States for repair and subsequent return to combat. The Commission found that these concepts are no longer appropriate. The private sector now builds and initially supports essentially all U.S. weapons systems, and the wartime repair and maintenance of military equipment in the United States is no longer a significant factor in U.S. military planning. On this basis the Commission concluded that the depot level maintenance and repair of military equipment in the United States is not an “inherently governmental” function and that the Congress and the Department should seek the benefits of private sector competitive efficiency as a matter of official policy.

Estimates of “core” requirements. The Commission's review of the methodology used by the military departments to estimate their “core” requirements for government depot capacity disclosed both inconsistencies and departures from DOD planning guidelines. In particular, much of the workload assessed by the services as needing to be done in government facilities was found not to be associated with the actual conduct of either of the two Major Regional Contingencies that form the primary basis for U.S. military planning and budgeting.

Specific practices of military departments. The Commission noted that each of the military departments has successfully relied on contractors for long term depot-level maintenance of many front line weapons systems including the Army's Mobile Subscriber Equipment, the Air Force's F-117 stealth aircraft, and the Navy's Tomahawk missiles. The Commission found no evidence that competitive private contractors in the United States are inherently less responsive than government depots, and considerable evidence that they are less costly over the long term. Furthermore, review of the Gulf War experiences disclosed no unique contributions to the success of that effort made in CONUS by government depots that were not paralleled by similar contributions by private suppliers.

QUESTIONS SUBMITTED BY SENATOR DIRK KEMPTHORNE

Senator KEMPTHORNE. Dr. White, given the reduced force structure called for in the Bottom-Up Review, I see the National Guard and Reserve forces playing a more active role in military deployments around the world. Can you give me your view of the cost-effectiveness of the National Guard and Reserve forces? Also, do you have any new ideas regarding how we can make better use of our Guard and Reserve forces?"

Dr. WHITE. The cost-effectiveness of the National Guard and Reserve forces is well established. It is also necessary to recognize that if recalled for extended periods of time, the cost savings will be minimized because the personnel costs of these forces would be more equivalent to full-time Active duty forces. However, overall cost savings will be realized by the use of the Guard and Reserve in an operation like MFO Sinai, because reduced Active component OPTEMPO and PERSTEMPO protects the overall readiness of the Active Force.

A current initiative recently implemented by the Department, "Increased Use of Reserve Forces in Total Force Missions," seeks to relieve Active component operational and personnel tempo (OPTEMPO and PERSTEMPO) and at the same time enhance the units and individual combat readiness of those who participate.

Through prudent planning and careful scheduling of Reserve component training periods, we can accomplish operational missions levied by the CINCs, and at the same time satisfy mission training requirements of the assigned Guard and Reserve units and individuals.

This initiative is in its formative stage for fiscal year 1995, and will be further solidified for fiscal year 1996-97. By fiscal year 1998, we anticipate having this initiative firmly established in the Programming, Planning, Budgeting System (PPBS) process.

Senator KEMPTHORNE. Dr. White, I am concerned about the impact international peacekeeping operations have on military readiness and the services' operation and maintenance accounts. Do you have any thought on how we can prevent peacekeeping operations from draining the services' O&M accounts?

Dr. WHITE. I share your concern about maintaining military readiness. The primary means by which we can avoid affecting military readiness is continuing the rapid response from Congress to supplemental funding requests for contingency operations, as occurred in fiscal year 1994 and fiscal year 1995. I also acknowledge that there will be times, especially during the third and fourth quarters of the fiscal year, when it will not be possible to submit and approve a supplemental in time to avoid funding shortfalls that could affect readiness. Therefore I support the administration's request for Readiness Preservation Authority that would allow the Department to incur obligations in excess of appropriations to ensure the services can continue such critical activities as:

Critical proficiency training—training of individuals to maintain skills that are essential to the performance of assigned missions;

Scheduled unit exercises—participation of service units in major training exercises, such as Army units at the National Training Center, major Navy fleet exercises, and Air Force "Red Flag" exercises at Nellis AFB; and

Acquisition of spare parts—replacement of parts and supplies required to maintain the readiness posture of Active Forces.

Approving this authority will allow the Department to continue these essential activities until a supplemental can be submitted and approved.

Senator KEMPTHORNE. Dr. White, as you probably know, Senate Republicans have sent a number of letters to President Clinton expressing concern about the administration's position in the theater ballistic missile defense demarcation negotiations. Can you give me your thoughts on the demarcation between theater and strategic missile defenses? Also, can you give me your thoughts on a cooperative transition

from mutual assured destruction to mutual assured security and the future of the ABM Treaty?

Dr. WHITE. The ABM Treaty is a cornerstone of strategic stability and essential for the implementation of START I and START II. Without the ABM Treaty's limitations on strategic missile defense, Russia would likely not undertake the deep reductions of START II, and might even cease implementing START I.

While the ABM Treaty is critical for strategic arms reductions, it does not impede essential missile defense programs. A strategic threat requiring National Missile Defense beyond the ABM Treaty does not confront us. START I and II will reduce strategic warheads by two-thirds. A confrontational relationship with the Soviet Union has been replaced with a pragmatic partnership with Russia; for over a year, no U.S. or Russian missiles have been targeted against each other.

The priority missile defense needed now and for the foreseeable future is to counter the growing threat posed by non-strategic ballistic missiles. Effective TMD can be developed and deployed within the ABM Treaty. The United States can have both effective TMD and a viable ABM Treaty.

I believe the administration's discussions with Russia on demarcation are making progress. The principles agreed with Russia at the May Summit, which will serve as a basis for reaching agreement on demarcation, reaffirm the need for effective TMD and make clear that TMD deployment is not precluded by the ABM Treaty.

These principles bring us closer to the goal of deploying advanced TMD while preserving the viability and integrity of the ABM Treaty.

I strongly support the administration's efforts in this area and strongly oppose attempts by Congress to limit the prerogatives of the executive branch.

Senator KEMPTHORNE. Are you confident the Russian Duma will ratify the START II Treaty and do you think we should maintain START I force levels until we see Russia ratify and implement START II?

Dr. WHITE. While I cannot predict what action the Russian parliament will take regarding START II, the administration is hopeful that prompt ratification by the Senate will encourage Russian legislators to act in a similar fashion. Russian executive branch officials have told us repeatedly that the government remains committed to ratification of START II, and we understand that President Yeltsin recently submitted the treaty formally to the Russian parliament for approval.

Regarding U.S. force levels, we will not begin the reductions necessary to reach START II limits until that treaty is ratified and enters into force, and we will ensure that the pace of our reductions is reasonably related to the pace of Russian reductions.

MAINTAINING THE NUCLEAR STOCKPILE

Senator KEMPTHORNE. Dr. White, your predecessor, Dr. Deutch, expressed concerns about the Department of Energy's commitment to preserve the infrastructure to maintain the Active and Inactive nuclear weapons stockpile. What are your views on this important subject?

Dr. WHITE. The Department of the Energy is developing their plan for stockpile support for the next century and beyond. The plan is being developed with DOD participation. Energy is aware of our stockpile support requirements and will factor them into the design of the future weapons complex. At a minimum, future weapons complex must furnish sufficient capability and capacities to meet day-to-day Active Stockpile requirements as well as fulfill the demands for reactivating and maintaining portions of the Inactive Stockpile in times of crisis. We anticipate that their plan may be complete by next year.

BRAC SAVINGS

Senator KEMPTHORNE. Dr. White, in about 3 or 4 years, the Department of Defense is counting on savings from the base closure process to augment the procurement accounts for the services. From your perspective, what are the risks that we may not achieve these savings and how confident are you that DOD will realize these savings?

Dr. WHITE. The cost and savings estimates for the Department's closure and realignment recommendations are initially based on service estimates provided by the COBRA model. While not budget quality, COBRA produces estimates that are useful for analyzing the relative merits of each closure or realignment scenario. Once the recommendations are approved the services conduct more aggressive site surveys and budget "scrubs" to fine-tune the data. As the recommendations are implemented, costs and savings can be expected to rise in some cases and fall in others. The overall cost of military construction projects for the BRAC 88 round, for example, has decreased because of subsequent BRAC recommendations. Environmental

costs, on the other hand, have tended to rise as site inspections progress. Overall, our experience is that costs are lower than expected and our savings have been greater than expected.

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

BASE CLOSURE ENVIRONMENTAL CLEANUP PROGRAMS

Senator LEVIN. Provide the status of past BRAC base closure environmental clean-up programs; i.e., are we providing money for environmental clean-up in a timely manner as set forth in the law? Define the legal requirement to provide environmental restoration.

Dr. WHITE. [Answer supplied as Inserts for the Record during Senator Levin's earlier round of questions in this hearing.]

QUESTIONS SUBMITTED BY SENATOR ROBERT DOLE

Senator DOLE. What was the basis for this significant change (eliminating unknown divisions) in evaluation of requirements for an uncertain and unknown future threat?

Dr. WHITE. The report did not propose a change in the threat projection strategy. It did note an inconsistency between the stated strategy and then implementation. For instance, it does not seem wise for the Total Army to be short support forces for 2 MRCs (a high priority task) and at the same time maintain large standing relatively vague and long-term threats (lower priority tasks).

Further, neither the Bottom-Up Review nor the Commission saw any near- or mid-term major military rival to the United States. Such peer competitors would appear only over the long term. The Commission believed that, while hedges should be maintained against long term threats, these hedges should themselves be long-term. Examples would be active R&D programs, modernization of selected weapons systems, and units or personnel oriented towards mobilization and training. The Commission did not believe that near-term hedges, such as maintaining extra combat force structure, were appropriate for long-term threats.

Senator DOLE. Does the report, in effect, recommend dissolution of the Army off-site agreement?

Dr. WHITE. The report takes no position on the Army off-site agreement. The subject matter of the Off-site agreement would be an appropriate element of the proposed Quadrennial Strategy Review.

Senator DOLE. What consideration, if any, was given to the state of the role of National Guard forces in responding to what seems to be an ever expanding requirement for support to civil authorities in domestic emergencies and civil disorder?

Dr. WHITE. The Commission recognized the valuable role the National Guard Forces play in states emergencies. There was, however, no evidence that any recommendations for restructuring the Army Guard or reducing the Total Army would imperil the ability of states to handle domestic emergencies. All evidence indicated that the resulting forces would continue to be adequate. Indeed, it can be argued that the NG would be better prepared for states missions because it would have more CS/CSS units (military police, engineer, transportation, etc.). And these units would be relatively more useful for most emergencies than infantry or armor units.

Further, the Commission recommended that the Secretary of Defense clarify the extent to which state missions would be used as the basis for justifying reserve component forces.

Senator DOLE. Did your Commission really intend that almost one-third of the remaining strength of the Army Guard be eliminated, bringing it to the lowest level since the mid-1930s?

Dr. WHITE. No. Such a construct is a mis-interpretation of what was in the report.

First, the report recommends converting approximately 60,000 NG divisional spaces from combat to combat support (CS) or combat to service support (CSS). The reason, as the report explains, is that the Total Army is reportedly short CS/CSS units for executing 2 MRCs while the NG divisions are not planned to be used in the kinds of MRCs that are the primary basis for U.S. force planning. Such a conversion would shift some Guard units to higher priority tasks. These converted spaces would not be eliminated. In some cases the conversion would not even entail significant changes. For instance, changing a divisional truck battalion into an independent CSS truck battalion would be fairly easy. In other cases, for instance, converting infantry and armored units, the changes would be more significant.

Second, the report notes that, even after the conversion described above, the Total Army would have approximately 50,000 divisional combat spaces beyond those needed for 2 MACS. These spaces should be eliminated from the Total Army, active and reserve component. The report leaves to the Secretary of Defense the determination of where the reductions would come from.

Senator DOLE. Was the commission limited to a precise threat definition and force level?

Dr. WHITE. The Commission did not attempt independently to define the specific threats that drive the size of the military force structure or to determine specific force levels, as was done in the Bottom-Up Review. The Commission focused much more on force shaping than on force sizing. It also dealt with force planning processes. The Commission's recommendation that a Quadrennial Strategy Review (QSR) be conducted at the outset of each Presidential term addresses your underlying concern about restricting force planning to meeting the precise needs of the two designated MRCs.

[The nomination reference of Dr. John P. White follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
May 9, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

John P. White, of Massachusetts, to be Deputy Secretary of Defense, vice John M. Deutch.

[The biographical sketch of John P. White, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JOHN P. WHITE

John White is currently Director of the Center for Business and Government at the John F. Kennedy School of Government, Harvard University. He took over the program at Harvard in January 1993 following his active involvement in both the Clinton and Pert presidential campaigns in 1992. His current position involves the management of a teaching, research, and executive outreach program dedicated to addressing the major policy issues where private and public sector interests interact, including international trade, economic development, national health care systems, industrial regulations, environmental goals and corporate governance.

White was General Manager of the Integration and Systems Products Division and a Vice President at the Eastman Kodak Company (1988-1992) and the CEO and Chairman of the Board of Interactive Corporation from 1981 until it was sold to Eastman Kodak in 1988.

Previously, he served in the Federal Government as the Deputy Director of the office of Management and Budget, Executive Office of the President (1978-1981) and Assistant Secretary of Defense, Manpower, Reserve Affairs and Logistics (1977-1978).

White was at RAND Corporation from 1968 until 1977 where he was Senior Vice President for National Security Research Programs and a member of the Board of Trustees.

He holds both a M.A. and Ph.D. in economics from the Maxwell Graduate School, Syracuse University, and a B.S. in industrial and labor relations from Cornell University. Early in his career, he was an officer in the United States Marine Corps.

Over the years, White has been affiliated with a number of organizations and is currently the Chair, Board of Visitors, Air University, United States Air Force, Chair, Advisory Board, Maxwell School, Syracuse University; Chair, Commission on Roles and Missions of the Armed Forces; member, Board of Trustees, Council for Excellence in Government; Advisory Trustee, The RAND Corporation; member, Council of Foreign Relations; member, Board of Directors, Wang Laboratories, Inc.; member, Cornell University Council; Vice Chair, The Concord Coalition; and member, Advisory Board, Drug Policy Research Center, The RAND Corporation.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Dr. John P. White in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

John Patrick White.

2. Position to which nominated:

Deputy Secretary of Defense.

3. Date of nomination:

May 9, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

February 27, 1937; Syracuse, NY.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Elizabeth Michaud White.

7. Names and ages of children:

Ann Marie White Molyneaux, 35; Patricia Carol White, 34; John Martin White, 31; and Timothy Charles White, 29.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

High School—Cathedral Academy, Syracuse, NY, 1951-1955.

College—Cornell University, Ithaca, NY, 1955-1959; degree, B.S., Industrial & Labor Relations.

Graduate School—Syracuse University, Maxwell School of Citizenship & Public Affairs, 1962-1968; degrees, M.A. Economics, 1965; Ph.D. Economics, 1969.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Experience:

January 1993 - Present: Director, Center for Business and Government, John F. Kennedy School of Government, Harvard University.

1992: Issues Director, Pert Petition Committee, (Leave of Absence from Eastman Kodak Company).

1988-1992: Vice President and General Manager, Integration and Systems Products Division, Eastman Kodak Company.

1981-1988: CEO and Chairman of the Board, Interactive Systems Corporation.

1978-1981: Deputy Director, Office of Management and Budget, Executive office of the President.

1977-1978: Assistant Secretary of Defense; Manpower, Reserve Affairs and Logistics, U.S. Department of Defense.

1968-1977: Senior Vice President and member of the Board of Trustees, The RAND Corporation.

1962-1968: Assistant Professor of Economics, LeMoyne College.

1959-1962: Personnel Specialist, General Electric Company.

1959-1961: Lieutenant and Platoon Commander, United States Marine Corps.

Education:

Ph.D. (1960) and M.A. (1964) Economics, Maxwell Graduate School of Citizenship and Public Affairs, Syracuse University.

B.S. (1959) Industrial and Labor Relations, Cornell University.

Affiliations include:

Chair, Board of Visitors, Air University, United States Air Force.

Chair, Advisory Board, Maxwell Graduate School, Syracuse University.

Member, Board of Trustees, Council for Excellence in Government.

Advisory Trustee, The RAND Corporation.

Member, Council on Foreign Relations.

Member, Board of Directors, Wang Laboratories, Inc.

Member, Cornell University.

Vice Chair, The Concord Coalition.

Member, Advisory Board, Drug Policy Research Center, The RAND Corporation.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

Chairman, Commission on Roles and Missions of the Armed Forces.

Member, Board of Trustees, Air Force Aid Society.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Harvard University, Director, Kennedy School of Government and Lecturer.

Wang Laboratories, Board of Directors.

Syracuse University, Advisory Board Member.

Council for Excellence in Government, Board of Trustees.

The RAND Corporation, Advisory Trustee.

The RAND Corporation Drug Policy Research Center, Advisory Member.

Cornell University, Advisory Council Member.

The Concord Coalition, Vice Chairman.

Committee for Economic Development, Chairman, Research Advisory Board.

National Research Council, Member, Committee on Criteria for Federal Support of Research and Development.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

None.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Perot Petition Committee, Issues Director.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

Bill Clinton, \$500.

Congressman Ed Markey, \$100.

Mayor Menino, \$100.

Congressman David Shaggs, \$100.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

None.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

The Analysis of Military Manpower Issues with James Hosek. "Military Service in the United States", General Brent Scowcroft, ed., 1982.

The Supply of Air Force Enlistees with Alvin A. Cook. Staff Paper, All Volunteer Force Commission, 1970.

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

[Copies retained in committee files.]

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOHN P. WHITE.

This 9th day of May, 1995.

[The nomination of Dr. John P. White was reported to the Senate by Senator Strom Thurmond on June 15, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 21, 1995.]

**VOTE ON THE NOMINATION OF LT. GEN.
RICHARD E. HAWLEY, USAF, TO BE GEN-
ERAL AND COMMANDER, ALLIED AIR
FORCES CENTRAL EUROPE**

THURSDAY, JUNE 29, 1995

**U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.**

The committee met, pursuant to notice, at 9:32 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Lott, Coats, Kempthorne, Hutchison, Inhofe, Nunn, and Lieberman.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Melinda M. Koutsoumpas, chief clerk; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; Roslyne D. Turner, systems administrator.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Stephen L. Madey, Jr., Steven C. Saulnier, Cord A. Sterling, and Eric H. Thoemmes.

Minority staff members present: Richard D. DeBobes, counsel; John W. Douglass and Patrick T. Henry, professional staff members.

Staff assistants present: Alec Bierbauer, Shelley G. Lauffer, Sharen Reaves, and Jason Rossbach.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; Ann E. Sauer, assistant to Senator McCain; Samuel D. Adcock, assistant to Senator Lott; Richard F. Schwab, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; John F. Luddy, II, assistant to Senator Inhofe; Andrew W. Johnson, assistant to Senator Exon; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Suzanne M. McKenna and John P. Stevens, assistants to Senator Glenn; Lisa W. Tuite, assistant to Senator Byrd; William Owens, assistant to Senator Robb; and John F. Lilley, assistant to Senator Lieberman.

**OPENING STATEMENT OF SENATOR STROM THURMOND,
CHAIRMAN**

Chairman THURMOND. Since a quorum is now present, I think we will take up the nomination of Lt. Gen. Richard E. Hawley, U.S.

Air Force, to be General and Commander, Allied Air Forces Central Europe.

This nomination is time sensitive because General Hawley replaces Gen. James L. Jamerson, who is to become the Deputy Commander in Chief, U.S. European Command. General Jamerson's nomination was approved by the committee last week.

Is there a motion to favorably report the nomination to the Senate?

Senator NUNN. I so move.

Senator WARNER. I second.

Chairman THURMOND. It has been moved and seconded.

All in favor, say aye.

[Chorus of Ayes.]

Chairman THURMOND. All opposed, say no.

[No response.]

Chairman THURMOND. It appears to the Chair that the ayes have it.

[No response.]

The ayes do have it and it is so ordered.

The nomination is approved.

[Whereupon, at 9:33 a.m., the committee resumed its markup.]

[The nomination reference of Lt. Gen. Richard E. Hawley, USAF, follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 21, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer for appointment to the grade of general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

To be General

Lt. Gen. Richard E. Hawley, 069-34-7170, United States Air Force.

[The resume of service career of Lt. Gen. Richard E. Hawley, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS, UNITED STATES AIR FORCE,
Washington, DC, June 16, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The President, under the provisions of Section 601, Title 10 of the United States Code, has submitted to the Senate the nomination of the following general officer for appointment to the grade of general with assignment as indicated:

Name, grade and SSAN	Age	Assignment (from/to)
Richard E. Hawley Lieutenant General 069-34-7170.	53	From Principal Deputy Assistant Secretary of the Air Force for Acquisition, Department of the Air Force To Commander, Allied Air Forces Central Europe; Commander, United States Air Forces in Europe; and Air Force Component Commander, United States European Command

Lieutenant General Hawley is replacing General James L. Jamerson, who is being nominated for reassignment. Confirmation action during June 1995 will help insure a smooth transition for General Hawley. This action will not result in the Air Force exceeding the number of generals authorized by law.

For the information of the Committee, I am enclosing a military history on General Hawley.

Sincerely,

EUGENE E. HABIGER
Lieutenant General, USAF,
Deputy Chief of Staff, Personnel.

Attachment: Military History.

RICHARD EARL HAWLEY, LIEUTENANT GENERAL, REGAF, 069-34-7170

Date and place of birth: 2 January 1942, Albany, New York.

Years of active service: Over 31 years as of 3 June 1995.

Schools attended and degrees: USAF Academy, BS, 1964; Geo Wash Univ DC, MA, 1965; Armed Forces Staff College, 1974; Naval War College, 1982.

Joint specialty officer: Yes.

Aeronautical rating: Command Pilot.

Major permanent duty assignments:

Assignments	From	To
Stu, Intl Rel, Geo Wash Univ, AFIT, AU, Wright-Patt AFB, OH	Jun 64	Mar 65
Pers Ofcr, Compensation Study Br, AF/DPX, The Pentagon, Wash DC	Mar 65	Aug 65
Research Analyst, AF/DPX, The Pentagon, Wash DC	Aug 65	Sep 66
Stu, UPT, 3526 Stu Sq, ATC, Williams AFB, AZ	Sep 66	Jan 68
Stu, USAF Opnl Tng Crs, F-4D, 430 TFSQ, TAC, Homestead AFB, FL	Jan 68	Oct 68
FAC, O-2A, 1st Brig, 4th Infantry Div, PACAF, Pleiku AB, Vietnam	Oct 68	Oct 69
Pit, F-4D, 22 TFSQ, USAFE, Bitburg AB, Germany	Oct 69	Jul 70
Acft Comdr; & FAC, 22 TFSQ, USAFE, Bitburg AB, Germany	Jul 70	Feb 72
Ft Comdr, F-4D, 22 TFSQ, USAFE, Bitburg AB, Germany	Feb 72	Sep 72
Ch, Cmd Control Insp, 7260 Spt Sq, USAFE, Lindsey AS, Germany	Sep 72	Aug 73
Stu, Armed Forces Staff College, Hq Comd, Norfolk, VA	Aug 73	Feb 74
Air Ops Ofcr, Europe/NATO Br, AF/XOXXE, Hq USAF, Wash DC	Feb 74	Feb 75
Air Ops Ofcr, Europe/NATO Div, AF/XOXXE, Hq USAF, Wash DC	Mar 75	Mar 76
Asst Exec to the CoS, USAF, AF/CC, Hq USAF, Wash DC	Mar 76	Nov 77
Ops Ofcr, 68 TFSq, TAC, Moody AFB, GA	Nov 77	Feb 78
Asst Dep Comdr for Ops, 347 TFW, TAC, Moody AFB, GA	Feb 78	Jul 78
Comdr, 347 CSG, TAC, Moody AFB, GA	Aug 78	Jul 79
Dep Comdr for Ops, 1 TFWG, TAC, Langley AFB, VA	Jul 79	Aug 81
Stu, Naval War College, Hq Comd, Newport, RI	Aug 81	Jul 82
Vice Comdr, 313 AD, PACAF, Kadena AB, Japan	Jul 82	Apr 84
Comdr, 18 TFW, PACAF, Kadena AB, Japan	Apr 84	Mar 86
Spec'l Asst to the Comdr, 313 AD, PACAF, Kadena AB, Japan	Mar 86	Aug 86
Spec'l Asst to the CINCPACAF, PACAF, Osan AB, Korea	Aug 86	Sep 86
Vice Comdr, 7 AF, PACAF, Osan AB, Korea	Sep 86	Aug 87
DCS/Plans, Hq PACAF, Hickam AFB, HI	Aug 87	Aug 89
Dir of Ops, AF/XOD, Hq USAF, Wash DC	Aug 89	Aug 91
COMUSJAPAN; & Comdr 5 AF, PACAF, Yokota AB, Japan	Aug 91	Nov 93
Prin Dep to Asst SAF for ACQ, SAF/AQ, Mil Dir, USAF SAB; & Comdr, AFPEO, Pentagon, Wash DC	Nov 93	Present

Promotions:

Promotions	Effective date
Second Lieutenant	3 Jun 64
First Lieutenant	3 Dec 65
Captain	3 Dec 67
Major	1 Jan 72
Lieutenant Colonel	1 Apr 76
Colonel	1 Jun 79
Brigadier General	1 Jul 86
Major General	1 Aug 89
Lieutenant General	2 Aug 91

Decorations:

Defense Distinguished Service Medal.

Air Force Distinguished Service Medal.

Legion of Merit.

Distinguished Flying Cross with two Bronze Oak Leaf Clusters.

Meritorious Service Medal with one Bronze Oak Leaf Cluster.

Air Medal with two Silver Oak Leaf Clusters and two Bronze Oak Leaf Clusters.

Air Force Commendation Medal with one Bronze Oak Leaf Cluster.

Summary of joint assignments:

Assignments	Dates	Grade
Commander, United States Forces Japan, and Commander, 5th Air Force, Pacific Air Forces, Yokota Air Base, Japan.	Aug 91—Nov 93	Lt Gen
Air Operations Officer, ¹ Europe/North Atlantic Treaty Organization Division, Deputy Chief of Staff, Plans and Operations, Headquarters United States Air Force, Washington DC.	Feb 74—Mar 76	Major
Forward Air Controller, ¹ O-2A, 1st Brigade, 4th Infantry Division, 21st Tactical Air Support Squadron, Pacific Air Forces, Pleiku Air Base, Vietnam.	Oct 68—Oct 69	Captain
Research Analyst, Directorate of Personnel Planning Personnel Planning, Deputy Chief of Staff, Personnel, Assigned detached duty with DOD Military Compensation and Retirement Study Group, Assistant Secretary of Defense (Manpower), Wash DC.	Nov 65—May 66	1st Lt

¹ Joint Equivalent

[The nomination of Lt. Gen. Richard E. Hawley, USAF, to be General and Command, Allied Air Forces Central Europe was reported to the Senate by Senator Strom Thurmond on June 29, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on June 30, 1995.]

NOMINATION OF GEN. JOHN M. SHALIKASHVILI, USA, FOR REAPPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND REAPPOINTMENT TO THE GRADE OF GENERAL

THURSDAY, SEPTEMBER 21, 1995

**U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, DC.***

The committee met, pursuant to notice, at 9:32 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Coats, Smith, Kempthorne, Hutchison, Nunn, Exon, Levin, Robb, and Lieberman.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Melinda K. Koutsoumpas, chief clerk; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; and Ann M. Mittermeyer, assistant counsel.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Jonathan L. Etherton, Lawrence J. Lanzillotta, Stephen L. Madey, Jr., Steven C. Saulnier, Cord A. Sterling, and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director, and Richard D. DeBobes, counsel.

Staff assistants present: Deasy Wagner and Shawn Edwards.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; James M. Bodner, assistant to Senator Cohen; Ann E. Sauer, assistant to Senator McCain; Samuel D. Adcock, assistant to Senator Lott; Richard F. Schwab and David J. Gribbin, assistants to Senator Coats; Thomas L. Lankford, assistant to Senator Smith; Glen E. Tait, assistant to Senator Kempthorne; Dave Davis, assistant to Senator Hutchison; John F. Luddy II, assistant to Senator Inhofe; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Suzanne M. McKenna, assistant to Senator Glenn; William Owens, assistant to Senator Robb; and John F. Lilley, assistant to Senator Lieberman.

**OPENING STATEMENT OF SENATOR STROM THURMOND,
CHAIRMAN**

Chairman THURMOND. The committee will come to order.

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The committee meets today to receive testimony concerning a very key nomination. Gen. John M. Shalikashvili has been nominated for reappointment as Chairman of the Joint Chiefs of Staff and for reappointment to the grade of general.

We all know General Shalikashvili very well. There is no need for me to recite his record of challenging assignments and accomplishments. In the interest of time, I would like to move as quickly as possible to the questions.

I would point out to the members of the committee, that General Shalikashvili's current appointment expires at the end of September. In order to ensure there is no gap in his appointment, the committee will have to act on this nomination in sufficient time to permit the full Senate to act before the end of the month.

I would like to yield to Senator Nunn for any opening comments he wishes to make at this time.

Senator NUNN. Thank you very much, Mr. Chairman. I want to join you in welcoming General Shalikashvili and in congratulating him on being nominated by President Clinton for a second 2-year term as Chairman of the Joint Chiefs, our highest military official in the land.

The last 2 years have seen a very high level of activity for our Armed Forces, and the missions vary considerably throughout the world. U.S. forces are presently conducting or participating in 13 operations throughout the world. These operations run a wide range of responsibilities from a handful of troops with joint task full accounting seeking to recover the remains or otherwise account for American personnel lost in the Vietnam war, which is an enormously important mission, to a relatively small number of troops participating as a part of the multinational force in Operation Safe Border to verify the separation of forces between Ecuador and Peru. So, we have forces all over the world and many times it is not reported when some of these missions are very important even though involving a very small number of forces.

Also, we are participating, of course, in the very substantial NATO force that presently has a bombing campaign which has just been suspended to bring about the removal of heavy weapons and achieve other goals regarding the Bosnian Serb activity. Moreover, the United States-led diplomacy in Yugoslavia may—and I emphasize “may”—be moving the warring parties to a peace agreement which will likely result in a NATO-led operation to implement a peace agreement and which President Clinton has pledged, subject of course to consultation and approval of the Congress, to participate in that with U.S. military forces in substantial numbers.

These operations are being conducted at a time when the number of U.S. forces have been dramatically reduced from the Cold War highs and when the funds available for defense have been reduced to a 55-year low as measured as a percentage of our gross national product. We have had the most successful drawdown of large numbers of military forces in history in terms of maintaining the readiness and morale of our military forces. That has gone unnoticed too much in the comments in the media and also I think in the realization by the American public, but there has been a dramatic job done in the last 3 to 4 years under two administrations in bringing down our military forces to much lower levels without destroying

the morale of those forces and while maintaining a high level of readiness. That is an unparalleled success and, frankly, I do not think we have ever done it before.

Accordingly, the leadership of the Department of Defense, Mr. Chairman, is faced with unparalleled challenges to maintain a combat-ready and motivated career force today when we are in a volunteer force environment and at the same time to set in motion the steps necessary to modernize the force of the future and the modernization of our forces in terms of budget and in terms of ability to do that within the budget is our greatest challenge.

General Shalikashvili will play an important role to meet these challenges during his second term as Chairman of the Joint Chiefs. I fully support him. I have enjoyed working with him. He is a thorough individual. He is a very professional soldier. He is a strong leader. So, I look forward to hearing his opening comments and also hearing his responses to our questions this morning. I certainly support his reappointment and confirmation of that reappointment as Chairman.

Chairman THURMOND. The committee asked General Shalikashvili to respond to a series of advance policy questions. Without objection, I will make those questions and the responses part of the record.

Chairman THURMOND. General Shalikashvili, we are pleased to have you with us. We are proud of the fine record you have made, and if you have any opening remarks, we will give you the opportunity to address the committee at this time.

**STATEMENT OF GEN. JOHN M. SHALIKASHVILI, USA,
CHAIRMAN OF THE JOINT CHIEFS OF STAFF**

General SHALIKASHVILI. Thank you very much, Mr. Chairman, Senator Nunn, distinguished members of the committee. Let me begin by thanking all of you for your unwavering support to keep America's military forces the finest and the strongest in the world and for the care you have shown for our men and women in uniform. Let me thank you as well for your support to me and for your counsel during my past 2 years as Chairman.

As Senator Nunn has already mentioned, for our military this period has been a succession of crises and challenging military operations. I was sworn in as Chairman only a few weeks after the tragic fire fight in Mogadishu on October 3, 1993, and our first task was to stabilize the situation and to organize an orderly and measured disengagement of American forces from Somalia. The commanders on the ground accomplished that superbly and without precipitating the anticipated collapse of the humanitarian effort there.

A short time later when tragedy struck in Rwanda, a tragedy that very quickly overwhelmed the capability of civilian humanitarian organizations, our military moved in quickly and within days helped to dramatically reduce the death toll and, when the specified tasks were done, departed ahead of schedule.

Since last September, our Armed Forces have been performing equally well in Haiti where everyone who has visited them from the first day until today has had nothing but the highest praise for their performance.

The same is true for those who have performed so magnificently handling the difficult Cuban migrant situation at sea and now on Guantanamo.

When last October three of Saddam Hussein's Republican Guard division suddenly bolted for Kuwait, our troops responded rapidly and decisively, and within days Saddam Hussein recognized the futility of his efforts and turned back.

Still today combat forces remain in the Gulf to make clear that we are not detracted by any other crises that might be ongoing. Of course, throughout that period, American forces have been operating in and around former Yugoslavia where at last there is the possibility that we, along with our NATO allies, have helped create conditions that might lead to a settlement.

Whatever our individual views are of that tragedy, I think we stand united in our praise for the skill and bravery with which our servicemen and women have carried out this mission. In all of them, all the other missions, over the past 2 years, not once have our men and women in uniform failed to accomplish all that we asked of them, and I am proud to represent them here before you.

The experience of these past 2 years has highlighted a number of important lessons. The first is that we were correct in our earlier decision to reshape our Armed Forces to be able to fight and win nearly simultaneously against two major adversaries. What better reminder than last year when in June, in anticipation of potential hostilities on the Korean Peninsula, we began to deploy forces to the Pacific. In September we deployed to Haiti, and in October found ourselves rushing troops to Kuwait to stop Saddam Hussein who apparently thought that he could take advantage of our pre-occupation elsewhere. That sequence of events should have dispelled any last thoughts about whether preserving this kind of capability is a luxury or a need. Our global interests demand no less.

Second, we learned that the demands upon our forces these last 2 years have reinforced the wisdom of putting readiness first, and with your help near-term readiness today remains at historically high levels and I submit this absolutely must continue.

But now is the time as well to focus on future readiness by more fully resourcing needed modernization and by more vigorously replacing equipment as it wears out. And once again I thank this committee for your support in this very critical area.

At the same time, these last 2 years have shown us once again that the main source of our military excellence is our people, and if we wish to retain them and if we wish to recruit more like them, then taking care of them and their families must remain a top priority. Again, I owe you a deep debt of gratitude for your support.

The last point I wish to emphasize concerns the wisdom of Goldwater-Nichols. The unmistakable pattern of superb military performance since 1986 from Panama to the Gulf war through the different tasks of these past 2 years, both large and small, has demonstrated that Goldwater-Nichols has it right. Now we must ensure that the spirit of the act is finally firmly institutionalized, and that is the process we have begun by creating joint doctrine, by strengthening joint training and exercises, by embedding jointness in our force planning and materiel development processes, by add-

ing new facilities, such as the Joint Warfighting Center, and by continuing to expand the influence of warfighting CINC's.

In each of these lessons, there is a challenge. We have today by any measure the finest and most ready armed forces in the world. They have met the threats and needs of this post Cold War era head on and have performed superbly. As we look to the future, we must all remember that the foundation of this force was laid down many years before.

One set of challenges today is to use wisely and well the excellent force that we have, but there is a second challenge and that is to prepare for the threats and needs of the next century as well. That includes making the right decisions today about caring for our people and their families, about investing in the right technologies, about modernizing, about building our force for future threats and about continuing to shape our force in the wisdom of Goldwater-Nichols. And if I am confirmed, with your help, I intend to make these challenges the guiding purpose of my next 2 years.

With that, Mr. Chairman and members of the committee, I want to thank you for this opportunity to make this statement, and I am prepared for your questions. Thank you very much.

Chairman THURMOND. General, with the prospect of peace in Bosnia, you will soon be faced with the reality of living up to the commitment of providing the U.S. Armed Forces to enforce the peace agreement. As I recall, the planning calls for up to 25,000 U.S. military personnel to join NATO forces to enforce the peace settlement.

What size of a force commitment is the administration currently planning?

General SHALIKASHVILI. Mr. Chairman, while NATO has not yet developed the precise plans that would allow us to determine the exact composition of our contribution, as you correctly state, the President had stated before, going back to almost the beginning of this crisis, that if there is a peace agreement to which both parties agree and if NATO is asked to help implement it, then the United States would be prepared to provide up to 25,000 but no more than half of the total force that would be required.

It is my view, Mr. Chairman, that it is very important that we not only look at the right size in order to get the job done that needs to be done, but that we also size the force sufficiently large enough so that when they have to go in, they are robust enough to take care of themselves no matter what else happens and to ensure the freedom of movement so they do not get pushed around like UNPROFOR has been pushed around.

Chairman THURMOND. General Shalikhshvili, the Joint Requirements Oversight Council was formed as a result of a Packard Commission recommendation for improving management of defense acquisition. How would you characterize the work of the council in fulfilling its mission? Could it be strengthened as part of the current acquisition reform efforts?

General SHALIKASHVILI. Mr. Chairman, I am extraordinarily pleased with the work the Joint Requirements Oversight Council is performing, and we have in fact expanded its role in the last 2 years. The JROC has the strength in that it is composed of the Vice Chairman of the Joint Chiefs of Staff and all the Vice Chiefs

of Staff of the service. So, service participation at the very highest level is present.

They not only evaluate every major acquisition program to include special access programs, to ensure that they meet the warfighting CINCs' requirements, they ensure that these acquisition programs will be fully compatible with the other systems that will be operating on the battlefield, so never again do we have a second or another intelligence platform that cannot down-link that kind of information to the warfighter down below, that there is interoperability among all of those systems. The strength of that council is that it does it in cooperation with all the senior service representatives.

I would think that the next step that we could accomplish to strengthen the good work that the JROC is doing is to try to embed it in congressional language and institutionalize it in congressional language, but I am extremely satisfied with what the JROC has been able to accomplish, the services and the joint world working together.

Chairman THURMOND. General, the committee is very interested in the events leading up to and following the unfortunate incident in Iraq involving two Black Hawk helicopters that were shot down by two Air Force fighters. Can you please tell us what has been done to prevent a repeat of this unfortunate incident?

General SHALIKASHVILI. Mr. Chairman, we have had a most thorough review not only from the legal point of view, but equally important and not as visible from the standpoint of operation of lessons learned. We have reviewed all the lessons. We have reviewed all of the directives that have existed.

For instance, we have found a doctrinal void that we have since then corrected. We have found procedural voids that existed, for instance, in the use of the IFF systems and the procedures in the IFF system.

All of those have been worked not only in the European Command where this incident occurred, but it has been a series of ongoing efforts between all the warfighting CINC's to ensure that what went wrong in northern Iraq does not exist in any of the other areas where we have troops stationed or we have similar operations ongoing. And we are continuing to ensure that and discuss those issues. Just during the last CINCs' conference here in July, one of the topics that we discussed was one more time a review of the lessons learned and an assurance that the CINCs have in fact completed all the corrective actions that needed to be taken.

Chairman THURMOND. General Shalikashvili, with increased air activity over Bosnia by U.S. and NATO forces, how important is airborne jamming? Is our capability sufficient for the job today?

General SHALIKASHVILI. Particularly in Bosnia where we were operating initially under those frustrating constraints imposed upon NATO by the United Nations, airborne jamming aircraft were extraordinarily important. We have provided to the commander in Italy all the airborne jamming aircraft that he has requested and we stand ready to provide more should he desire to do so.

I must say, Mr. Chairman, that we have of course in the last few weeks broken the shackles of the dual key that had frustrated us. We have been able to conduct extensively air operations the way

I believe air operations should be conducted and as a result have been able to significantly degrade the Serbian air defense systems that have caused us the problems before. Nevertheless, even today extensive airborne jamming assets are required whenever we fly over Bosnia.

Chairman THURMOND. I believe my time is up. Senator Nunn.

Senator NUNN. Thank you very much, Mr. Chairman. I have a number of questions.

General Shalikashvili, of course our American military presence on Okinawa has been a fundamental part of our Asian security for a long time. There has been a tragic rape of a 12-year old girl on Okinawa and three American service people are, I assume, the suspects. I certainly can make no judgment about what happened in this case and do not ask you to here, but in terms of procedure, I know there is a considerable amount of consternation by the people on Okinawa and probably in Japan about this.

What is our status of forces agreement? At what point would suspects be turned over to the Japanese Government, if they are turned over to the Japanese Government, for possible trial on these charges? What is the status of that and what is the position of our military forces?

General SHALIKASHVILI. Senator Nunn, our forces there and our commanders there have scrupulously followed the procedures outlined in the status of forces agreement which in essence say that when the local government charges those individuals suspected of a wrongdoing and requests that they be turned over to them, at that point they would be turned over. As of last night when I last checked on this, the government had not yet charged those individuals and we have not yet had a request that these individuals be turned over to the local authorities in Okinawa. So, in accordance with the status of forces agreement, they are still being held by U.S. forces.

Senator NUNN. The question is about representation. Do they get representation by the U.S. military? Are they entitled to attorneys?

General SHALIKASHVILI. They are entitled to military attorneys, and if they so wish, they are entitled to civilian attorneys of their choosing.

Senator NUNN. Have those attorneys been made available at this point in time? There is a news report they have been questioned. Have they also been represented?

General SHALIKASHVILI. They would not be able to be questioned, Senator Nunn, without military representation being made available. Whether they in fact have requested civilian counsel of their choosing, I do not know. I will have to provide that for the record.

Senator NUNN. Could you furnish just for the record, what has happened so far—

General SHALIKASHVILI. I certainly will.

Senator NUNN [continuing]. In terms of both questioning and representation and what our plans are?

I assume that Ambassador Mondale has made it clear to the Japanese authorities we will completely abide by the status of forces agreement.

General SHALIKASHVILI. The authorities know that very well. I know that has been made very clear to them. I think what we are

seeing are newspaper reports that speculate on what the conditions are. But we are in contact with the authorities and we have scrupulously abided by the status of forces agreement.

[The information follows:]

If the three accused service members were charged with violations of the UCMJ, they would have the right to military counsel. Since they are charged with violations of Japanese law, they have no right to military counsel. However, under the Japanese Constitution and the U.S.-Japanese Status of Forces Agreement, they have the right to be represented by Japanese counsel. As a matter of service regulation, the United States will pay for these counsel fees, court costs, bail, and other related trial expenses. All three service members have chosen Japanese counsel, the United States has entered into contracts with them, and the counsel are actively representing their clients.

Senator NUNN. General, on Bosnia, following up on some of Senator Thurmond's questions, the American military forces have carried out some rather extensive bombing of certain target sets. Most of these target sets are related to their air defense ability but also some others.

The Bosnian Serbs have collapsed in defending territory much more rapidly than any of our military analyses that I have seen would have predicted. What has caused in your opinion that collapse, and the second question, has the offensive at this stage wound down? Has it stopped? Are we in a pause? Exactly what is the situation regarding the offensive by the Bosnian Government and the Croatians?

General SHALIKASHVILI. Clearly the Bosnian Serb forces have not put up a defense like many of us expected they would. I am not prepared to say, Senator Nunn, whether their defenses have collapsed or they have just voluntarily withdrawn and have chosen not to fight over that piece of land that was in question. I say that because there are indications this morning, for instance, that in the northwestern part on the Croatian border the Bosnian Serb forces are fighting quite vigorously to blunt an offensive into that area by Croatian forces. So, yes, they have not fought for the western and the southwestern part of Bosnia and seemed to have withdrawn.

I think there has been in my judgment a great psychological impact on them brought about not only by the bombing, which I think has had a significant impact on them, but also by the sudden loss of the Krajina. So, I think we need to wait a little while and see just how extensive the reduction of the fighting capability is.

Suffice it to say that the bombing has had very extensive impact on their strategic communications systems.

Senator NUNN. I was going to ask, is that the main way it has affected ground fighting is the bombing of their communications—

General SHALIKASHVILI. Command and control systems, yes. It has to a lesser extent through bombing of their munitions stocks, but their munitions stocks are so extensive that to make a significant reduction, such bombing would have to continue considerably longer. It had some impact on lines of communications to try to keep them from being able to reinforce from one area to the other, and certainly in their integrated air defense command and control system that has been damaged also.

Senator NUNN. How much of the territory taken thus far by the Bosnian Government overlaps with that territory that they would

be ceded if there is an agreement along the lines that we have put forward? In other words, is this a territorial taking that is compatible with the map that we at some point hope will be agreed to?

General SHALIKASHVILI. I think only marginally, Senator Nunn. It is important to say that our best estimates today are that the Bosnian Serbs are in control of less than 50 percent of the territory, and when you contrast that with just some time not so long ago when we were all speaking of a 70/30 split, I think that is very significant. I have seen estimates in the last day or 2 where some people have estimated that they control anywhere from 48 to 49 percent of the territory.

Senator NUNN. Who is that, "they"?

General SHALIKASHVILI. The Bosnian Serbs. But it does not fully coincide with what we think would be acceptable to the Bosnian Government forces. So, I think the top issues like Sarajevo, Pasavina corridor, and so on still remain, and I think we ought to not minimize about the difficult discussions ahead still on the map.

Senator NUNN. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

General, I join others in commending you for your outstanding service. You have my support for the continuation of that service for another term.

General SHALIKASHVILI. Thank you, sir.

Senator WARNER. I want to pick right up on this issue in Bosnia. Senator Nunn in his opening statement said—I think I am quoting him accurately—that such a decision to commit substantial ground forces in Bosnia would require the approval of Congress, and I concur in that. I urge that the administration fully consult Congress and indeed we have a clear statement like we did in the Gulf war. As you recall, we went to the floor and that precise issue was voted on. Speaking for myself, I have an open mind on the question, but I am deeply concerned about further involvement of U.S. forces in that situation.

But my question to you is, should the Congress not concur with the President to introduce those forces, what in your judgment would be the consequences and particularly the impact long term on our partnership in NATO?

General SHALIKASHVILI. Senator Warner, it seems to me that now that the United States has taken the lead in trying to finally reach some kind of a satisfactory resolution to this conflict and has the full support of our European NATO partners in this effort to include the recognition that we will not be able to reach such a conclusion most probably unless there is some robust force that goes in and helps the warring factions to implement that peace agreement. If at this stage the United States could not participate, the impact on the alliance and on our leadership role under the alliance I think would be significant.

When you think of the state in Europe today and the need for stability and the need for a strong alliance, this would be a particularly bad time to reduce the effectiveness and the cohesion and the strength of the alliance and most importantly to reduce America's leadership role because we have seen that absent America's leadership role, things still do not get put together right, and there might

still be very difficult times ahead in the larger sense beyond Bosnia.

Senator WARNER. Let me proceed quickly then to the framework which is now being structured by NATO as I understand it from your testimony. Let us go right to the central question of the rules of engagement.

Now, will those rules of engagement be uniform throughout all those forces and will you have the final chop—that is, the final approval—on those rules of engagement? Because to quote you again, you said, “We do not want to be pushed around like the current UNPROFOR forces are being pushed around.” You do not want a repetition of that.

General SHALIKASHVILI. Absolutely not.

Senator WARNER. All right, and how would you approach this question of the rules of engagement? And are you ready to tell us today that you will personally sign off on that and recommend to the Congress that that has been done satisfactorily?

General SHALIKASHVILI. I will personally scrutinize the rules of engagement that NATO is going to propose, and if I am not absolutely certain that they meet the requirements under which we should send our forces, then I will recommend to the President, if need be, that the United States not sign up to those rules of engagement.

Senator WARNER. All right. Let us proceed now to the role of the United Nations. They would have to have a continuing role of some type in that situation. You again today said—and I quote you—“We have finally broken through the dual key.” That is a matter that has been of great concern to me and many other members of this committee and the Congress. As a matter of fact, I think that this Nation subjected its aviators to risks they should not have been subjected to as a consequence of that dual key. That is my view.

Are you prepared to assure us that whatever role NATO plays, it will not be a role that will jeopardize the security of any single uniform person that goes in as a part of that force?

General SHALIKASHVILI. I am prepared to assure you that I will insist that the peace enforcement operation or peace implementation force be strictly under NATO’s command and control, under NATO’s rules of engagement, and so armed and so equipped not only to be able to execute the mission but also to be able to protect itself and assure its freedom of movement. So, it should take its orders from the North Atlantic Council and SACEUR, General Jolwan, through Admiral Smith, and follow that NATO chain of command and there should not be a United Nations dual key on the performance of that force.

Senator WARNER. Drawing on our experience in Somalia, one of the problems that led to the very incident that you described in your opening testimony where we had substantial losses in Mogadishu was the armaments that were throughout that battle-torn country. I have made five trips, the most recent a month ago, through this region, particularly this time in the Krajina on the border where the Croatian forces retook some of their property. That whole country, General, as you well know, is totally infiltrated with arms. Everybody has got them. There is a gun under every bed.

Now, we cannot decide here today but I would like to have your preliminary view as to what sort of instructions are going to be given with respect to seizing some of these arms so that we do not jeopardize the security, personal security and otherwise, mission security, of these troops that go in?

General SHALIKASHVILI. If I could give you that for the record, Senator.

[The information follows:]

While the exact functions of the Implementation Force will be developed in the North Atlantic Organization operational plan, taking into consideration the terms of the peace settlement, [deleted].

In doing so, the force will operate under North Atlantic Treaty Organization rules of engagement. The force will have sufficient equipment, capability, and robust rules of engagement to ensure self defense and freedom of movement.

[Deleted.] We and our allies expect general compliance with a peace agreement by the warring parties.

However, we also plan to move forces in rapidly and decisively following a peace agreement to preclude deterioration into renewed conflict. [Deleted.]

Senator WARNER. Well, I would like to have a preliminary today because we had an experience in Somalia which directly showed that if you leave them all around, somebody is going to pick them up and start shooting pretty quickly.

General SHALIKASHVILI. We have had fairly good success in Haiti where we have gone to I think very active and very prudent weapons collection program. That has ensured, at least on outward appearance, that it has worked since we have not suffered any casualties. We have had these discussions as we were going into Haiti how many of our people would be endangered by all these thousands of weapons lying around.

The same condition obviously exists in Bosnia. So, we need to distinguish, however, between the legitimate needs of the Bosnian forces to have arms for their defense and every civilian who might have a weapon under his mattress. I think it would be very prudent and necessary to develop some programs where as many of those weapons are collected, whether that is through buy-back programs or some other way, and only those weapons ought to be left in the hands of authorized military and police forces.

Senator WARNER. My time is up, Mr. Chairman.

Chairman THURMOND. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

Let me add my thanks to you for your willingness to serve another 2 years despite what I am sure are the temptations of a massive book tour out there. [Laughter.]

General SHALIKASHVILI. I cannot spell. [Laughter.]

Senator LEVIN. You have brought a real directness, wealth of experience and integrity, as well as dignity, to this job and we are all grateful for your willingness to sign on for another couple of years in a very difficult job.

I would like to start with Bosnia as well. First the air strikes, the bombing. What in your opinion has been their success? We have not seen very much about that, and if they have been in your view accurate and successful, these attacks from the air, then what is the relationship between that success and what appears now to be a Serbian willingness to negotiate?

General SHALIKASHVILI. I think the air strikes have been very successful when measured by what Admiral Smith set out to do, what he wanted to do to command and control systems, what he wanted to do to the integrated air defense system, what he wanted to do to the munitions stocks and to lines of communications, particularly when you consider that this is now the period of time when the weather begins to close in and so not all the days that we could have conducted bombing could bombing be conducted safely.

Second, it was very successful from the standpoint of target analysis. I am very glad that you have not been seeing in newspapers or on television horror stories about collateral damage of hospitals hit or schools hit and so on. I think that it speaks volumes for the competence of those who selected the targets, for the pilots who flew the missions, for the technology that is now in our hands with your help and your support all of these years. There has not been any collateral damage that I am aware of, and I think if there had been, we would have seen it all over the news media.

Finally, I think I am also very glad because, as I look at the lessons learned from Desert Storm, although I do not in any way compare the size of the operations, from target selection to the development of the plan for battle damage assessment, how quickly that is brought back, how our intelligence systems are focused to feed into the theater. I think we have made significant steps since Desert Storm. So, all in all I think it has been a very successful operation and very professionally carried out.

And I do not want to take any particular credit for how much that was part of turning the situation around on the ground, but I would think that most objective observers would have to conclude that it probably played a significant part in creating the conditions today where just perhaps it might be possible to reach some kind of an agreement.

Senator LEVIN. One of the issues relative to any peace settlement in Bosnia and the enforcement of it by NATO would be whether or not Russia would have some kind of a role in that enforcement. I happen to think it is important for many reasons that there be such a role. Russia, of course, is not part of NATO but she is a partner in the Partnership for Peace program.

What are your views about a possible role for Russia in any peace enforcement, and are you making some efforts to design a way in which they could participate without in any way degrading the very important clear command structure which you have outlined which would be a precondition for your willingness to recommend any American participation in such a NATO operation?

General SHALIKASHVILI. We have I think with the dynamics in the region a situation where it would be to everybody's advantage if the Russians played a constructive, active role in the peace implementation. It is of course a very difficult issue because our insistence is that this be a NATO operation. We have already discussed that, and so we have to find a way that would allow the Russians to participate within that.

We have not only had extensive discussions and continue to have extensive discussions among our NATO partners, and I just last week spent a few days meeting with my NATO counterparts, and

one of the issues was just that. But we are also having preliminary discussions with our Russian colleagues to see how that can be structured because I think it is very important that they feel that there is a constructive part for them to play in this.

Senator LEVIN. How would you describe those preliminary discussions?

General SHALIKASHVILI. I think everyone shares the goal. I am not sure we are close yet to finding a way that is satisfactory.

Senator LEVIN. On the NATO expansion issue—this is a related question—are you satisfied with the progress of the Partnership for Peace program and NATO expansion, with the pace of it? Do you think Russia, despite some recent public pronouncements, will basically accept expansion plans as not drawing a new line in Europe?

General SHALIKASHVILI. I believe that the Partnership for Peace has been an extraordinary success story for NATO. We now have interfaces with former Warsaw Pact countries and countries of the former Soviet Union that we never thought possible just a couple of years ago. I think all of them, not only serving to bring us closer together in a military-to-military sense, but much more importantly developing patterns of cooperation between those countries and NATO nations that are key to strengthening their democratic institutions and pointing them in the direction of market economies and whatnot.

Now, on the question of NATO expansion, NATO has stated and so has this administration that the alliance will expand, but that right now is the time to discuss the modalities, the how of this process, and that debate is coming to an end within NATO and will be presented to the ministers during the fall ministerial. Then the discussion on how we will proceed with our partner countries and only then will the discussion turn to the question of when and who. I think that is the correct deliberate process.

As far as your third point is concerned, whether Russia in the end will acquiesce to it, I think Russia knows full well that they have no veto on that issue, and so the process will go on as NATO has outlined.

But I think it is important that we take all prudent steps to show Russia that we are not building a new divisive line, and if NATO expansion brings stability to all of Europe and stability in all of Europe is of great benefit to Russia as well as it is to the other countries.

Senator LEVIN. My time is up. Thank you.

Chairman THURMOND. We have some nominations we need to get out. So, I am going to turn for just a few minutes to those.

[Whereupon, at 10:15 a.m., the hearing was recessed and resumed at 10:20 a.m., this same day.]

Chairman THURMOND. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Welcome back, General. I would like to discuss the Bosnia situation with you again very briefly.

You stated that we would have different rules of engagement because—I wrote down your words—“we would not get pushed around like the NATO forces were pushed around.” There was an additional reason why the NATO forces were pushed around, Gen-

eral, as you know, and that is because we pursued a fatally flawed policy and that is to send in people to keep peace where there is no peace.

Now, it was my understanding in your appearances before this committee some time ago that the reason why we had to send in 25,000 U.S. troops was because we were the only country that was capable of carrying out the military—had the military capability to rescue NATO peacekeepers that were in the so-called “safe areas,” and that that was the compelling requirement. Now clearly the NATO peacekeepers need no rescue due to the change in the battlefield equation.

My question to you is, how can you be sure that the peace will be kept when we send in our American troops, if that is the case, and more compelling, why cannot the Europeans carry out these peacekeeping duties themselves? Why is it that a United States presence is required when in my view of our NATO allies’ military capability it indicates that they are more than capable of carrying out a peacekeeping role where there is peace, where the parties involved want peace? If there is not peace and the parties do not want peace, then we run the danger of putting U.S. troops in some kind of either cross fire or compel us to become more militarily involved.

Now, the administration must come to the Congress for this kind of authorization and these questions must be answered before the American people would support such a deployment.

General SHALIKASHVILI. I hope I said that we do not want to get pushed around like UNPROFOR was pushed around.

Senator MCCAIN. Excuse me. Like UNPROFOR. With the dual key command situation, that distinction was rather blurred.

General SHALIKASHVILI. I believe that a peace implementation force going in there must be robust enough, have the rules of engagement, be equipped enough to take care of any eventuality because the history of the region has been such—

Senator MCCAIN. If I might interrupt, I understand that, but my question is why does it require U.S. peacekeeping as opposed to European peacekeeping forces.

General SHALIKASHVILI. I believe first and foremost because this is going to be a NATO operation, and we as the leader of that alliance I believe cannot step away from the alliance when they are then asked to go in and perform what I think will be a very challenging task. We cannot come in and out of the alliance and choose to lead when it is to our benefit and let them take the lead when we do not wish to.

I think this is an alliance that has been built around the core of American leadership, and at a time when we are asking the alliance to undertake the most challenging military operation they will have been asked to undertake, we cannot excuse ourselves from it and still think that we can step back tomorrow and remain the leader of that alliance. So, we need to then think through what it means, what we have done to the alliance, when we step away from them. I think, Senator McCain, that to me at least is the core reason why the United States in such an operation should participate.

Senator MCCAIN. Well, I would suggest with the considerable expense that the taxpayers have incurred in this effort, including extensive use of U.S. air power which is called NATO but 80 to 90 percent is actually performed by the United States, that an argument could be made that we have played a very active role in this conflict.

Could I also ask you if the Bosnians and the Croatians do not cease their attacks on the Bosnian Serbs, do you ever envision a scenario where U.S. air power or NATO air power would be used to prevent further aggression on their part?

General SHALIKASHVILI. I think that the procedures are established as such that right now air power has been used to—and there is a council resolution from the North Atlantic Council to use air power to stop attacks upon the safe areas of Sarajevo and Tuzla and Gorazde and Bihac. So, it is conceivable that to use air power to stop attacks in the west, if this is what we would wish to do, it would require a new resolution. I will have to give my answer to you for the record after I double check that. I think the North Atlantic Council resolution is pretty clear on what you can use air power for right now.

Chairman THURMOND. Senator, your time is up. Senator Lieberman.

Senator LIEBERMAN. Thank you, Mr. Chairman.

General Shalikashvili, thank you for your willingness to serve our country for 2 more years. I think you have done a superb job at a difficult time, and the fact is that your appearance here today is evidence of why we are happy you are willing to do it for 2 more years. I think your answers have been informed. They have been thoughtful and they have been straightforward. You have not been hesitant to offer a clear opinion, and I appreciate that.

One of the areas in which you have offered a clear opinion is on the question of NATO and U.S. involvement in NATO, and I could not agree with you more. It seems to me that one of the inadvertent losers in the early course of the war in Bosnia was NATO because of a loss of credibility. One of the clear winners now in the more recent chapter, as a result of NATO involvement and U.S. leadership in NATO, has been NATO which is proving now that it is capable not only of being the great alliance it was during the Cold War in deterring Soviet aggression into western Europe, but that it is prepared to take a measured role in maintaining stability in Europe which is clearly important to the United States. It drew us into two wars in this century. We have shown again that without U.S. leadership there will be no stability.

So, I support what you have said. I appreciate your saying it. Though there will be questions about the details, if, hopefully, we get to the point of needing peace implementation force, I strongly agree with you that there must be a U.S. presence in that peace implementation force.

I want to ask you a question about some of the terms of that involvement. Two questions. First, I gather that in the discussions that have gone on now, we are talking about a time-limited involvement of this peace implementation force in Bosnia.

Second—and this is of real interest to many of us—we have had, as you know, arguments, debates, votes on the question of the arms

embargo on the Bosnians, but it is my understanding—and I have seen some reference of it now in the press—that there is agreement now among our allies in NATO that part of why the peace implementation force will be able to stay for a limited time is that we are prepared now to arm and train the Bosnian forces as a way to create a balance of force on the ground which will enable the peace implementation international forces to exit. Am I correct in that understanding?

General SHALIKASHVILI. It is our view that the peace implementation force should go in there but stay only long enough until the Bosnian Government forces are capable of defending themselves, but under no circumstances longer than the end of 1996.

Senator LIEBERMAN. Good.

General SHALIKASHVILI. We also envision that as part of this accord there would be an effort to arm the Bosnian Government forces so they in fact can gain that capability to defend themselves and allow the peace implementation force to withdraw from there.

Senator LIEBERMAN. It is your understanding that this plan to arm and train the Bosnian forces is now essentially agreed to by our NATO allies, which is to say that they are part of this plan. Correct?

General SHALIKASHVILI. We have discussed the fact that we envision such a plan to be part of it, so they are fully aware of it.

We have also discussed that we do not see this as part of the task of the peace implementation force, that they must be separate from what will be a multinational effort to arm the Bosnians. We have so indicated. We would expect many, if not all, of our NATO allies to participate in that effort as well.

Senator LIEBERMAN. I appreciate that answer. That is good news.

General, let me go to a very different topic. One of the items that is in controversy between the Senate and House Armed Services Committees in the Defense Authorization Conference is the whole question of ballistic missile defense. There is in this committee, as you know, a strong feeling that all the evidence suggests that there is a real threat here and that our country ought to be developing both a theater missile and a national missile defense.

Do you agree with that estimate, and are you satisfied that the program that we have in the ballistic missile defense organization is now proceeding adequately to meet that threat?

General SHALIKASHVILI. I believe that our first priority now needs to be theater ballistic missile defense because the threat to our forces has existed already and certainly exists today and there is every indication that that threat is growing. I believe that there is today a threat from ballistic missiles and that is essentially the same threat that existed during the Cold War, although reduced from the systems of the former Soviet Union, and China also possesses a system.

I believe that those threats have been deterred, as they have been in the past. I do believe, however, that there is a likelihood that by the middle of the next decade there will be additional and rogue-type state threats that could affect parts or all of the territory of the United States. Therefore, it is incumbent to move forward with all deliberate speed to develop the technology and the systems for a national missile defense.

I believe that that effort is ongoing. My discussions with those who are involved with it is that that cannot be significantly speeded up, but additional funding to that program could, in fact, reduce the technical risk of development of this program. We should be in the next few years be far enough along with the system where we can then make decisions on the basing, the basing decisions and other deployment decisions that have to be made. I believe that the system that is now in existence in fact carries us forward in that direction.

Senator LIEBERMAN. Thank you, General.

Chairman THURMOND. Senator Cohen.

Senator COHEN. Mr. Chairman, General, I was curious in terms of your response to Senator McCain in terms of the fact that the United States cannot be selective in where and when it chooses to participate in NATO operations without undermining the cohesiveness and effectiveness of NATO itself.

I was wondering, how many German divisions do you expect to be part of this peace implementation program—ground forces?

General SHALIKASHVILI. I certainly cannot tell you that. I have no idea what Germany's political position on this issue will be. I just do not know. I know that the Germans have, step by step, moved forward and are now participating with aircraft over Bosnia.

Senator COHEN. Aircraft is one thing. Ground forces are quite another.

It raises another question. Germany is a very integral part of NATO, and to date they have been very selective in terms of where they will go, under what circumstances they will go given their past history. So, I do not think we can just make the statement that the United States cannot be selective in terms of where it will commit its ground forces without undermining the cohesiveness of NATO.

The second point I would make, I enjoy the book called *Wordstruck* by Robert McNeil. It is not quite as popular as General Powell's book, but it is an important one nonetheless. And I am struck by words, "peacekeeping," for example, the difference between peacekeeping and peace implementation and how one can slip from peacekeeping to implementation, to peacemaking. I will not take the time because I do not have the time now to start drawing the distinctions of how we can go from peacekeeping to peace implementation to peacemaking, but I suspect the lines that are drawn between those three distinctions are very thin and would be crossed over very quickly.

Second, as Senator Warner mentioned to you—or you responded to Senator Warner about the fact that if U.S. troops are not committed to such an effective implementation of this agreement, it would again erode the confidence in NATO itself. I would simply like to suggest that unless there is a fairly extensive debate within the U.S. Congress and the country itself about the wisdom of committing, be it 18,000, 25,000 troops, whatever the number is going to be, to that region which continues to be very volatile, as you can read from the news accounts today, that we have to consider the consequence to NATO itself if U.S. forces became caught in the cross fire and started dying and public opinion shifted demanding that we withdraw from that region, what the would be upon NATO

itself. So, I think that is an equally compelling argument and issue we have to address.

I also would take just a little bit of issue with you when you say that we have the same situation as far as weapons in Haiti and weapons in Bosnia as far as trying to get them out. I suspect the chore of getting weapons out of Bosnia would be significantly greater than dealing with those in Haiti.

In your opening remarks, you made a statement concerning the global reach of the United States, the need for prepositioning in Southeast Asia. Last year we were rebuffed by the Thais, as a matter of fact, that it is important for us to have prepositioning and cooperation from the Thai Government. And there were charges that were made, I think unfairly, that the Thais were not acting responsibly in trying to control drug operations coming out of Burma. I think that contributed to a rejection by the Thais who have been very strong supporters of the United States over the years.

There is a measure on the floor right now dealing with foreign operations in which again there is some language in that legislation which I think needs to come out or we risk also having a similar repetition of what took place by being rejected by some of our traditional allies. Perhaps you could comment on that later.

You spoke very glowingly of the Goldwater-Nichols bill, which you know the Pentagon steadfastly opposed during its deliberations in this committee. Most have since hailed that as a success against congressional micromanagement.

Not much has been said about the creation of the Special Operations Command, and I assume that you feel equally strongly about the virtue of that command, having been created by congressional dictate, if you will, along with an Assistant Secretary position for low intensity conflict. Do you subscribe that they have also—the combination of Special Operations Command and SOLIC have been important as far as the military is concerned, especially in Desert Storm?

General SHALIKASHVILI. Oh, absolutely, Desert Storm and since then.

In the interest of truth in lending, I was one of those young officers in the Pentagon who did not see the wisdom of Goldwater-Nichols when it came out. So, I have to be painted with that brush also.

Senator COHEN. I mention this because the House Armed Services Committee or the National Security Committee I believe has eliminated or called for the elimination of two Assistant Secretary positions in DOD, and I would hope that the Department would not focus on those containing special operations or low intensity conflict. I think it has a major role to play.

I know my time is running out, so I would like to turn quickly to the CFE Treaty. The CFE Treaty, as you know, sets numerical limits on total numbers of different types of military equipment that can be deployed in certain regions with Russia.

My understanding is the Russians have now sought, since 1993, to suspend article V of the Conventional Forces Agreement. The administration, as of yesterday in trying to respond to the Russian demand, has tabled a proposal. I do not know what the reaction to

that proposal is that would allow them to deploy more equipment in certain regions, the so-called flank regions, which would have an impact on those areas such as Georgia and Azerbaidzhan.

But I was wondering, why would we want to give Moscow greater ability to enforce their will upon an oil-rich Azerbaidzhan? Do we really want to put them in a position of coercing the Azerbaidzhanis on the issues such as the path of oil pipelines, question number one?

And number two, just because the Russians do not happen to like the CFE agreement that was originally drawn, why should we make an accommodation now to accommodate their needs in dealing with Chechnya? If they are going to insist upon changes to the CFE Treaty, why are we not equally compelled to or committed to negotiating, insisting upon treaties to ABM or something else? Why are we so eager to amend or seek to propose to amend a treaty to accommodate their needs at this time?

General SHALIKASHVILI. I cannot tell you what the motivation really is. I can only tell you that in concert with NATO partners, and particularly those that are most affected by any changes to flank limits—obviously our Turkish colleagues and our Norwegian colleagues—NATO has a proposal that would make some changes in designating certain areas to be in the flanks or not in the flanks.

Senator COHEN. What it does is it reduces the size of the flank area but allows them to have about 1,100 more weapons in that region which puts considerable pressure upon the Azerbaidzhanis. That is what it does.

General SHALIKASHVILI. It is considerably less than what the Russians felt—what they came in and requested reconsideration for, but it is the number and the geographic arrangement that was satisfactory with Turkey and with Norway. I do not know, Senator Cohen, what the Russian reaction to it is. I know that, I think as we speak, this is being discussed, so I do not know what their reaction to it will be.

Senator COHEN. My time has expired. Thank you, General.

Chairman THURMOND. I believe you are next, Senator.

Senator EXON. Mr. Chairman, thank you very much.

General, welcome here. Let me add my voice of approval that has been expressed by many members of the committee this morning with regard to the excellent work that you have done as Chairman of the Joint Chiefs. We are delighted that you are being considered for 2 additional years. I pledge to be available for whatever help I can be to you in this effort. Thank you for all of your thoughtfulness and dedicated leadership as Chairman of the Joint Chiefs that I have observed very closely over the last few years.

General, let me ask you a couple of questions with regard to appropriations bills that are presently being considered in the Congress and in fact one or two that will be considered on the floor very likely today.

The Senate is now considering a foreign operations bill, and there are two very important pieces of controversy that are embodied in the so-called Brown amendment on Pakistan and the Murkowski amendment with regard to North Korea. The first would provide an exception to the Pressler amendment by authorizing the transfer of \$368 million in military equipment to Pakistan,

despite that country's aggressive pursuit of nuclear weapons programs and acquisition of ballistic missile capability.

The second amendment would place additional conditions on the administration as it moves forward with the agreed framework and dismantlement of North Korea's nuclear program.

I would very much appreciate your views, if you can give them to us, on these two important matters that are being considered right now.

General SHALIKASHVILI. I very much agree and share with the intent of the Pressler amendment, but I think as we look back on the results since it has been in effect, I do not believe it has achieved the results that we wanted. So, my view is that by working more closely with Pakistan and being able to return the equipment that was held up by the amendment, that we will be able to manage the nuclear issue better than we have been able to. So, I guess philosophically I would prefer that we allow the Pressler amendment to be set aside, this one time, to eliminate the impounded equipment ordered by Pakistanis prior to imposition of the Pressler amendment.

As far as our actions with North Korea are concerned, I am of the view that the framework agreement is proceeding on schedule. I am very mindful that the implementation of the framework agreement will take a very long time, and that we will be challenged by the North Koreans along the way, but the agreement is still the best way that I know of to deal with that issue. Therefore, I frankly would not wish to impose conditions that might derail the agreement.

What I like to concentrate on is the very extensive conventional capability that North Korea maintains very close to the DMZ. We have to remember that throughout this period, while we are working the nuclear issue and trying to resolve it, we must never take our eye off their vast conventional capability. I would like to concentrate on ensuring that our South Korean allies have the right programs to strengthen their forces—they have made some very admirable advances in the last year—and also that we keep our forces in South Korea strong to ensure that should there be a miscalculation, our forces can fight and win.

Senator EXON. General, let me turn to another subject that I think is extremely important. It has been touched on but maybe as directly as this question that I would ask because I think it is important that we look forward to NATO.

As you look forward to your second term as Chairman of the Joint Chiefs, how important do you view the successful evolution of NATO, especially the continued viability of the Partnership for Peace program and eventual expansion of NATO membership so as to include former Eastern bloc nations?

I would say that you may not have seen it, but there was a very thoughtful speech on this delivered by Senator Nunn not too long ago. Some of us feel that while NATO should expand, we probably should not be threatening some of the things that we would like to have NATO do by being too aggressive in this area given what concerns have been quite forcefully expressed by the Russians.

How do you see all this, and do you think we are going fast enough, too slow, or just about right in regard to the concerns that I have raised?

General SHALIKASHVILI. I believe the Europe, particularly the second half of Europe that now is trying to join the alliance and the western institution, that the issue is all about stability, stability that will allow them to rebuild and build their governments in a democratic format and their markets and so on.

The alliance has a key role to play in that. There are no other European institutions that represent the strength, nor are there any European security institutions that so firmly tie the United States to Europe. After all, I think those Central and East European countries are more interested in the stability that comes from our presence and our involvement than anything else.

I think that the program we have set down now that we will proceed with the Partnership for Peace, which has turned out to be a great success, followed with very deliberate discussions on the issue of the expansion of the alliance is the right course. I guess I have always been on the side that said we need to take this in slow, deliberate steps. We are doing that now and I am satisfied with the speed with which we are proceeding and I would not like to see it speeded up.

Senator EXON. General, thank you. Thank you, Mr. Chairman.

Chairman THURMOND. Senator Coats.

Senator COATS. Thank you, Mr. Chairman.

General Shalikashvili, let me add my thanks to you for 2 years of service to this country and to the men and women in uniform. It is not an easy task and none of us would have blamed you had you chosen to take an easier path. But we appreciate your commitment for 2 additional years and look forward to working with you and supporting that effort.

I have a couple of questions for you in the 6 minutes that I have. The first set revolves around the Bosnia issue.

As I understand it, our tentative commitment is to support about half of the effort in putting troops on the ground in Bosnia if a peace agreement is achieved, up to 25,000 troops. My question is, if it turns out that additional troops beyond that number are needed in order to secure the peace, has a commitment been made or has discussion been held regarding our adding additional troops beyond that amount?

General SHALIKASHVILI. No, sir, it is not. Our view has always been that we would like to send a package big enough to take care of itself. Hopefully that can be done with less than 25,000, but under no circumstances will there be more than 25,000.

Senator COATS. Your predecessor advocated the doctrine of overwhelming force, and I guess my question goes somewhat to that. As you know, it is a highly volatile area. Any peace agreement—I think we will obviously have our fingers crossed that that can be achieved. But if it turns out that it requires more, then you are saying that the additional commitment would have to come from other NATO forces or other nations. The United States will not in any circumstances go beyond the 25,000. Is that correct?

General SHALIKASHVILI. You asked me about the commitment and whether there have been any discussions beyond 25,000. The

commitment has been for up to 25,000. I do not know of any discussion anywhere where the United States has contemplated providing more than 25,000.

The answer is yes. Certainly more than 25,000 will be needed to do this job right, but we will rely and will work with our NATO and non-NATO partners to ensure that those forces come from them.

The 25,000 for us is really driven by not sending an American force so thin that they would rely on someone else for protection. I want to make sure that when we put Americans there, there is a mass large enough. So, in my judgment that was around a division of troops, and that is how that number of 25,000 was derived.

Senator COATS. To the extent that you are able to discuss it this morning or you have made decisions, how would that American contingent be made up? Are we heavy on logistics and support, special operations, intelligence, or is it more of just a ground force, potential combat level troops?

General SHALIKASHVILI. I cannot tell you for sure because NATO has not finished its planning. They were just yesterday tasked by the North Atlantic Council to do their planning.

My thoughts have been that it would probably be a combination of both, a ground force, recognizing that there are perhaps some capabilities that only we possess that we would make available. But essentially I see this structured around a ground division.

Senator COATS. How are we going to define what is a viable peace agreement? Clearly at some point somebody has to make a determination as to the willingness of the various parties involved to comply with the terms of the agreement before I would think any troops might be sent into the area. Has some definition of what a viable peace agreement will be before a decision to engage any troops in the area is made?

General SHALIKASHVILI. I do not know of a listing of conditions that have been made, but we have I guess always, even going all the back to Vance Owen, talked about the fact that there must be an agreement to which no one side has been pressured but has willingly entered into, a map that does not present you with unsolvable challenges in protecting it. There are no pieces built into it that just are invitations to fire fights, whether that is an isolated outpost somewhere that you know cannot be defended and therefore will be challenged, that in a separation of forces they are not nose to nose so that the first time that there is some disagreement between guards from opposing sides, they will start a fire fight which will then begin to erode the process. It is these sort of steps that people have thought their way through.

That is why it was always very important that from the very beginning we also include senior military representatives in those discussions who could then give their opinions as to what is implementable and what leads you to trouble. So, Lt. Gen. Wes Clark from my staff has participated in those discussions with Assistant Secretary Dick Holbrooke from the very beginning and is still part of the team.

Senator COATS. I would think defining that as specifically as possible is very important. I am one of those who believes the President would be wise to seek congressional authority to place any

troops in Bosnia, and I think the more information we have regarding how that will be accomplished, what the mission will be, what the rules of engagement are, what the timetable will be and so forth, would be helpful in terms of our making a decision as to whether we would support that effort.

Let me just shift gears real quickly here, as my time is just about to run out.

We are finalizing discussions on our authorization bill and appropriations bills for funding for the Department of Defense for 1996. At issue are items of procurement and modernization. The Department has undertaken I think a very important initiative on quality of life, particularly on housing, but medical care, pay and so forth, and the commitment to that. You made a statement about that earlier.

Do you have any thoughts that you could give us as we discuss where we are going in terms of how you see a commitment to out-year procurement affecting adversely these quality of life initiatives? Is that a concern of yours?

General SHALIKASHVILI. It is a concern, but the need for procurement of equipment—the size of the procurement account is also a concern of mine. So, when I testified before this committee last year, I made the point that the 1996 budget was the last time that we could afford not to turn up the procurement accounts. So, I think that increasing procurement levels is absolutely necessary for long-term readiness, and if that does not occur, then not only will our long-term readiness suffer, but certainly it will put pressures on those quality of life aspects like housing and whatnot.

So, it all hinges whether in fact in the 1997 budget we are able to turn up the procurement accounts to allow us not only the modernization that needs to be carried forward, but also the recapitalization of the force as it wears out.

Senator COATS. All we need is money.

General SHALIKASHVILI. That is correct and I count on your help.

Chairman THURMOND. Senator Hutchison.

Senator HUTCHISON. General Shalikashvili, thank you for meeting with us one on one and also coming today.

I would like to talk once again about the situation in Bosnia because I think that we have to be careful in learning the lessons from Somalia. We talk about a commitment to ground troops going in to keep a peace agreement, and it is my understanding that there is no commitment that does not envision consultation with Congress. Is that your understanding as well?

General SHALIKASHVILI. It is my understanding that the President has said all along that this commitment is subject to consultations with Congress.

Senator HUTCHISON. Well, I think that is very important that we not treat this as if the United States has made a commitment. I believe that if NATO is going to continue to be a strong alliance, that we must have some give and take in the relationship. It has been brought out that the Germans have not participated to any great extent in the efforts in Bosnia heretofore, and everyone has understood the reasons.

I think because the United States has taken such a strong lead up to this point, stronger than many of us are comfortable with,

that there is an opportunity for us to say we have brought the people to the table. We have an agreement and now it is time for Europe to take the lead in keeping this peace. I do not quite understand your argument that Americans have to be in a peacekeeping mission just because we have taken the lead in bringing about this agreement.

General SHALIKASHVILI. I understand the point you are making, Senator, but my issue is that unlike other nations in the alliance, we have been all these years the recognized leader of this alliance. That carries with it special responsibilities. One of these is that the natural outcome is whenever you step in and out of an issue, that you erode your leadership position, particularly in this one here when we are for the first time contemplating a sizable NATO deployment into a very challenging task.

I recall going back many years when we had issues on the deployment of certain missiles in NATO and whether we were going to go into air operations, always in the end, if the United States did not lead, it did not happen. And the same thing I suspect will be true here.

So, we just need to understand potentially what the costs would be if we backed away from that leadership position at this particular time, particularly since it is, after all, we who took the lead now after what some claim is an absence of leadership for a while.

Senator HUTCHISON. General, I think that we are looking at many potential border conflicts and many potential ethnic conflicts in Eastern Europe, the new emerging democracies, the former Soviet satellites that are now coming into democracies, and I think we need to be able to sit down with our NATO allies and determine that there is the ability for us to lead and then there is the ability for them to lead in some instances so that we can maintain our strength. I just hope that as you are dealing with this issue that you will consider that Germany has been a leader in the past in NATO and they have not been present to any degree in this situation. I think there will be extenuating circumstances, including the commitment of the people of a country. So, I hope that you will consider that as you move down the road.

Second, another lesson from Somalia, the people that I talked to who were there, say that if they were walking down the street and people were angry, they would wait for the Turkish soldiers to walk by or the Pakistani soldiers or the French soldiers, and they would wait for the Americans to throw the rocks at. I think that is a lesson that we have to deal with.

That is why I think we have to be so careful as we send troops into a "peacekeeping" situation that our soldiers are treated differently and if a message is going to be sent, it is probably going to be sent with our soldiers. I would like to ask you to speak to what we are going to do to protect our soldiers if they are going into that situation, and I must say that at this point I am not going to support that, although I certainly want to hear what the President has in mind. But if we do, what are you going to do to make sure that our soldiers are not sitting ducks?

General SHALIKASHVILI. First of all, I must tell you you are very correct that we always have to be prepared that when we send American soldiers in, they will be treated differently.

However, our experience shows that just as often as what you describe, that the opposite is true. I had really suspected that in Haiti we would be the subjects of just what you described, rock-throwing and jeering and so on. Quite the opposite has occurred. We are more often than not welcomed with smiles, in some cases even applause while some of our partners have had difficulty.

But that aside, we must go on the assumption that what you say is going to happen. That is the only prudent thing to do. That is why I have insisted from the beginning, whenever the issue came up that Americans might be sent in, that we must have first and foremost a chain of command that is straightforward, that all the troops are under NATO or American command, that they have rules that allow them to defend themselves, that they have rules that allow them to get the job done and not rules that somehow constrain them, and most importantly, getting at the issue that you are talking about, is that they are armed and equipped to take care of themselves because I believe firmly that when two groups meet at a road junction, the one who is best equipped and has the best armament is going to be fooled with a lot less than someone who arrives ill-equipped and ill-prepared. So, I think that even when some people say why are we sending forces in Bradley armored vehicles there, that is just for the very reason that you mentioned, so they have the protection and no one can look at them and have any doubt that these guys can take care of themselves, these guys and gals.

Senator HUTCHISON. My time has expired. Thank you.

Chairman THURMOND. Senator Kempthorne.

Senator KEMPTHORNE. General Shalikashvili, let me join with the others in acknowledging and thanking you for your distinguished service to our country.

I know of your great perspective on history, so I want to ask you a question that will combine your perspective on history with your views on the military. Based on the hundreds of years of history that we have seen occur in Bosnia, will there ever truly be peace in Bosnia that is self-sustaining peace or will it have to be an imposed peace for that region?

General SHALIKASHVILI. I frankly do not know. I think the first impulse that you have when you hear a question like that is to say that it is going to be very difficult. But I must tell you, if I can take you to another part of the world, I felt the same way about the Middle East, and yet I believe that there are conditions that can be created where it is advantageous to all to reach some accommodation.

You also have to consider the alternative. What if you do not try, and what if that region continues to fester and fight, and how long can you keep this thing confined before it really spreads and blows up?

So, I am not as pessimistic as history would tell us that we ought to be.

Senator KEMPTHORNE. And I appreciate that, but I think it then lends itself to not only should you not try, but when you do try, for what length of time must you continue that course? I know that is a big question.

General SHALIKASHVILI. I think, Senator Kempthorne, that it is prudent to say that there comes a point when you must create conditions where both of them can defend themselves, they have the adequate means. Then you can withdraw a military force that initially was trying to keep them apart.

That does not mean that you are finished with the task. I am sure that there will be further assistance required in the form of economic reconstruction, and you must continually provide them with incentives not to resume fighting. But it is different than having to have soldiers on the ground that keep them apart.

Senator KEMPTHORNE. Right.

General, can you give me your thoughts underlying U.S. combat troops to serve under the command of the United Nations?

General SHALIKASHVILI. I have said in the past and I guess it still holds true that sometimes in very narrow circumstances Americans could serve under the United Nations, and I know that that is a very unpopular thing to say. We have, for instance, created conditions in Haiti where American troops are serving under the United Nations, but the commander is an American, the conditions are such that the kind of fighting that is too much for a United Nations force to handle is very unlikely, and either way we have reaction forces there that are robust enough and under American control to handle that.

On the other hand, the condition that existed in Bosnia, despite earlier discussions on that issue, I have always maintained that Americans should not serve in Bosnia under the United Nations. I have for 2 years resisted any discussion or any attempts to put Americans under UNPROFOR in Bosnia for the very reason that is implied in the question, that I did not think the United Nations command structure, rules of engagement, communications system, whatever were up to the task and we should not endanger American soldiers by putting them in UNPROFOR.

Senator KEMPTHORNE. I agree with that last portion of your statement, and I think it is a commitment we should make to our men and women in uniform, that they will never be put in that situation.

General, can you comment on General Mundy's concerns expressed at the time of his retirement that the Joint Chiefs of Staff decision making process often left him informed instead of consulted about major policy decisions?

General SHALIKASHVILI. Well, I would tell you that I have gone out of my way I think after hearing that statement to change the circumstances. As an example on Bosnia now, we have been meeting almost daily, if not daily, with the Joint Chiefs, and I know that there were some days when we have been meeting twice daily to make sure that they are fully in an issue from the very beginning and whatnot.

But also during General Mundy's time, I think back, for instance, to when we were working the weeks and almost months ahead of the Haiti operation how frequently we have consulted, how every plan has been brought to the Joint Chiefs, and we vetted that with the service staffs. The same thing of Korea.

But I take what he says very seriously. I feel that my advice that I give to the President or the National Security Council or to the

Secretary of Defense is strengthened the more I involve the Chiefs, not the less I involve the Chiefs. While Goldwater-Nichols makes me the principal adviser, I draw the strength from involvement of the Chiefs.

By the way, if I may, Secretary Perry has instituted also a system where he meets, at least tries to meet and more often than not we meet weekly with the Chiefs and the Secretary of Defense as well to review the issues on the table.

Senator KEMPTHORNE. I appreciate it.

I will not put this in the form of a question because my time has expired, but I am interested as to whether or not the service Chiefs feel that they are losing their influence to the Joint Staff. So, again that will be another topic we can discuss later.

Mr. Chairman, thank you.

Chairman THURMOND. Senator Smith.

Senator SMITH. Good morning, General Shalikashvili. Thank you, by the way, for taking time to drop by for the one-on-one meeting too. I appreciate it.

General, would you say it is a fair or an unfair statement to say the following, that the administration has been pushing aggressively to conclude a demarcation agreement with the former Soviet Union that would, in effect, expand the ABM Treaty to restrict theater missile defenses?

General SHALIKASHVILI. I was about to say yes to the first part of that statement until you read the second one. I think what they have been pursuing aggressively is to reach agreement on the demarcation to make it clear that the ABM Treaty does not apply to theater missile forces. But I am not enough of a technical expert on the issue to say that my formulation is correct, but that is how I always thought about it. It does not mean that I was always in agreement with the specifics of what was proposed.

Senator SMITH. Let me just pursue that a little bit. A few months ago, General McPeak and Admiral Boorda publicly urged you to reject, or at least it was reported—I take that back—it was reported that they had urged you to reject performance limitations on theater missile defense interceptors. You were quoted in a memorandum in the press to Secretary Deutch saying that no further concession should be made and that “it may even be time to think about rolling back the U.S. negotiating position.”

But if the press reports are correct, you changed that position and in effect, for want of a better word, disregarded the advice of two members of your Chiefs by essentially saying, well, we did oppose the speed limits, but we went along in order to advance the effort toward an early acceptable demarcation agreement.

Could you clarify for me, if you can, what is the background of that, what you meant by that, and what is your position? Do you agree with what McPeak and Boorda said or not?

General SHALIKASHVILI. That is the first time I heard about that they were quoted in the press like this.

But we as the Chiefs met on a number of occasions during this period when demarcation and particularly specific limits on interceptors were discussed, and we were always of the view, all of us, that we should not place any limits on them.

When it came to the decision, everyone in the administration was aware that my view and the view of the Joint Chiefs was that we should not put any limits on it. The debate and the decision went the other way.

At the earliest opportunity then, I raised the issue that we need to reopen that point and that we need to pursue without limits on interceptors. I believe that is essentially where we are today. So, I feel very good that my view in the long term has prevailed.

Senator SMITH. Well, I think some would argue—I certainly would—that that is not where we are. Do you want to respond to that?

General SHALIKASHVILI. It is my understanding that the position we hold today places no limits on interceptors, and I am not sure how far I can go in this session on that.

Senator SMITH. Okay, fair enough.

Let me ask this. Do you consider your role as the Chairman of the Joint Chiefs one more in the area of policy development or military adviser?

General SHALIKASHVILI. Military advice.

Senator SMITH. And if you disagree with the policy, what do you do?

General SHALIKASHVILI. If I disagree with a policy and it in my judgment goes against good military sense, then I take every opportunity to make that known to those who make the decision. If they finally make a decision and I cannot live with it, then I know what I need to do. And those kinds of debates and those kinds of discussions go on all the time, as you can well imagine, but I am in the business of providing the best possible military advice.

Senator SMITH. If the President asked you the following question, how would you answer it? General, do you believe the ABM Treaty legally restricts or should be interpreted to restrict theater missile defenses in any way?

General SHALIKASHVILI. I believe that it is important that we be able to field whatever theater missile defense systems we find are necessary to protect our troops. Therefore, if there is any misunderstanding or any clarification that is needed on the missile defense treaty, those discussions need to take place not to put restrictions on the fielding of theater ballistic missiles, but on clearing up any misunderstandings that might exist on what the limits of the ABM Treaty might be.

Senator SMITH. But in these reports, if the statements attributed to General McPeak and Admiral Boorda were correct, and in some of your own statements you took the position that you oppose the speed limits, but then you, if this quote is right, went along in order to advance the efforts toward an early acceptable demarcation agreement.

General SHALIKASHVILI. I am not sure. Are you saying those were my words, "in order to"?

Senator SMITH. They are attributed to you in this article, February 2, 1995, Washington Times, Bill Gertz. It is also referenced in an earlier article on January 31, and those are the two articles.

General SHALIKASHVILI. Senator, all I can tell you is that I went into that meeting with the belief that we should not put limits on interceptors. I was overruled. I still believe that we should not put

limits on interceptors, and I took the first opportunity to reopen that thing and say we should not do that.

Senator SMITH. That is fair enough. That is my question to you, what is your position on it. You have answered.

General SHALIKASHVILI. That we should not.

Senator SMITH. And that is fair enough.

I will just state it for the record rather than put it in a question and put you on the spot, but Dr. Deutch has represented that you supported this policy and that has been represented to this committee. I am not going to ask you to respond to that unless you wish, but just for the record he has stated that you have supported this policy.

General SHALIKASHVILI. My position has been that we should not. My position today is that we should not put limits on the interceptor.

Senator SMITH. Thank you, General. Mr. Chairman.

Senator COATS [presiding]. Thank you, Senator Smith.

General Shalikashvili, Senator Thurmond went over to vote and asked me if I would ask you two questions that he had intended to ask, so I will ask you those. I know Senator Nunn is on his way back and has some additional questions for you. I do not know if other members are or not.

The first question Senator Thurmond wanted to address to you is that—and I will state—intelligence reorganization is once again a topic of serious discussion and review. What in your view are the most important things that we should be seeking to accomplish this process?

General SHALIKASHVILI. I think one of the issues that is now very much before us is the issue of a national imagery agency that would put some coherence into the vast field of national imagery. I think that that is the next prudent step.

We, the Chiefs, have met with Director Deutch on this issue. We have consulted on it. We still have some work to do, but I hope that we can come to closure on that soon and that that is going to be the next recommendation from us to the Secretary of Defense.

Senator COATS. The second question involves the future of START II. In addition to promoting ratification and implementation of the treaty, should the United States be seeking to retain a hedge against its failure? Are there any specific things that we should be doing with our strategic force structure to preserve options that we are currently not undertaking?

General SHALIKASHVILI. Probably the most important thing we need to do is to ensure that until START II is ratified, we do not fall into the temptation to make force structure reductions in order to derive economic benefits or savings. That is probably my greatest concern. I think we need to at all times watch the build-down by the Russian strategic forces and ensure that ours follow that same glide path and that we resist any temptation to start on START II systems until we have a START II agreement and we watch carefully how the Russians reduce their forces.

The other one is there is always the temptation to underfund those systems that you still have, believing that somehow they will go out of the system in the near future. So, I have been concentrat-

ing on ensuring, together with Secretary Perry, that those systems that we still have and that we will retain remain fully funded.

Senator COATS. This occurs to me to be a unique opportunity for me to grab some additional time. [Laughter.]

I would rather do it over a cup of coffee, but let me just follow up on a couple of things that I talked about during my questioning time.

One relates to the decisions that have to be made in 1997 regarding procurement and modernization. There has been talk of a second bottom-up review to be conducted in 1997. If that is the case, and if some vital, crucial decisions on modernization time lines have to be made in that year, would it be advantageous to accelerate that review so that we have information before us to make those decisions as we approach the 1997 fiscal year authorization and appropriations?

General SHALIKASHVILI. I am not sure that I see the necessity of a second bottom-up review. I believe firmly that the sizing requirement for our force as articulated in the Bottom-Up Review is correct, that a nation with our worldwide interests must maintain as a minimum the requirement to engage two adversaries widely separated in geography but very close in time. I think that will be true even if tomorrow Saddam Hussein would no longer pose a threat. I believe that our Nation, with these kinds of interests that we have, must retain that force because we never know where the threat will materialize other than that we know how quickly they materialize and you never have the time to build up. So, I think it is really a capabilities driven sizing requirement as opposed to one that is geared to specific threats.

I am sometimes worried that we are too fixated on the Middle East or North Korea and we need to keep in mind that we very seldom have fought our wars where we expected them to be fought. So, no future bottom-up review I think will change that view.

So, then we come to the structure. I think that the work that we have done since the last bottom-up review has reconfirmed that the structure is the minimum required to do the job providing we enhance the force. Not I but my predecessors have laid out the enhancements that are necessary in order for that small force to be able to execute the task I just talked about.

Those programs are by and large on track. I am particularly pleased with strategic airlift. I am particularly pleased with precision guided munitions. I think we are staying on a program. I am not that pleased with strategic sealift. I think additional work needs to be done in the C³I area. And those things we need to watch. I think we need a commitment by us all to ensure that the minimum enhancements that had been identified in the beginning are brought on line.

I am not sure what a new bottom-up review will do. After all, we have not even had time yet to fully stand up the force that needs to be stood up to accomplish that task. But if it is to be done, then I guess I am agnostic on when we do that. My fear of doing a new bottom-up review is that people will put necessary programs on hold and say let us wait until we get a new look at it before we invest any more money on doing what needs to be done, and that is my fear of starting a new bottom-up review too soon be-

cause while some are motivated maybe to enlarge the force, I am afraid more of the forces would say let us not spend the money on these additional RO-RO's or whatever else we might need until we have the next bottom-up review done. I think we know enough, with the work that the Joint Chiefs have done and others in between, what needs to be done to make that force capable to do the task that I outlined.

Senator COATS. If we retain current policy, are you confident, given what we know now about the 7-year budget projections, that we can provide the enhancements within that budget number without sacrificing some other essential part of our commitment, whether it be quality of life, whether it be operations and maintenance, whether it be readiness?

General SHALIKASHVILI. As I said before, I do not have high confidence that we can do that. I keep going back that my worry is not today's readiness, but tomorrow's readiness. We are counting a lot on being able to increase our procurement accounts on the benefits that we will derive from BRAC, from acquisition reform, from financial reform, and so on. I have this fear that always in the past we have not realized the savings that we had projected. I am very concerned that the same thing will be true now and that the necessary acquisition accounts that we now project will not be there in sufficient numbers. So, no, as I sit here before you today, I do not have a high confidence that that can be done.

Senator COATS. I share that concern and that is why in my own opinion we need to make some very critical decisions this year, as we will next year, relative to what future out-year commitments will be.

General SHALIKASHVILI. I agree with you on that, but I would just ask that we really look hard whether we need a new bottom-up review for that or whether this is just going to cost us a year in doing what you and I have—

Senator COATS. I do not disagree with that. Thank you. Senator Nunn.

Senator NUNN. Thanks, Senator Coats.

In listening carefully to some of your prior testimony, General Shalikashvili, I have a couple of observations and a couple of questions.

Number one is on the level of force we put into Bosnia. If there is a peace agreement and if we have the right chain of command and NATO leadership and so forth and so on, I think it is very important that both quantitatively and qualitatively the United States and our allies have sensible and equitable sharing of the burden, that the United States not be in there either qualitatively or quantitatively with a disproportionate share, considering our capabilities and their capabilities.

Having said that, though, I think it is even more important that whatever force you put in total, the NATO force, be more than sufficient. I think it would be a mistake to get into so much of a debate on the percentages and so forth that collectively we did not have sufficient force which I think would be an invitation for both attack and possibly even very serious repercussions. So, I hope that we do not get so concerned about numbers that we cut any corners in terms of an adequate force because things, if they can go wrong,

history tells us in the Balkans they will go wrong, and I think that is important.

Second, I applaud the pilots and the equipment and the technology and all of the skills of the planners in avoiding collateral damage on the bombings that have taken place, but some critics—and I do not concur with this, although there is an element of truth to it—believe that we have reached the point with American public and many in Congress expecting the United States to be able to fight a war and have no casualties. That is virtually impossible, as you know, and when it happens, it is usually good fortune that allows it to happen. I think it would be a mistake for expectations of American precision weapons and bombing and pilots and skills to reach such a high level that we started judging ourselves on a bombing campaign as to whether there was collateral damage. I do not think it is possible to avoid all collateral damage in every engagement.

I do not want to see us evolve to a point where we have expectations in this country of a war where nobody gets killed on our side and where we do not have any collateral damage on the other side. We know that if we had gone after those heavy weapons around Sarajevo, for instance, if we had had to do that, if they had not withdrawn them, that they would have put them in areas where the collateral damage was inevitable. So, I hope we do not set up an expectation, such high hurdles for ourselves, that we begin to gradually become impotent in our ability to respond because of being measured against those expectations.

So, I hope perhaps you could add to your statement on collateral damage if you agree with the thrust of what I am saying.

The third point relates to your response to Senator Warner's question about the possibility of collecting arms. I remember he said something to the effect of arms under every bed in Bosnia. I do not doubt that but I do not know of anything that came out of Haiti and Somalia that indicates to me that it would make much sense to start off with any kind of policy over there we are going to disarm people by going into any house-to-house search of arms unless it is in response to storage of arms, massive intelligence, or in response to something that has happened.

I would ask you to clarify your response to that question because, as we recall, in Somalia we decreased our military forces and increased the mission, that is, we gave them the mission of disarming certain factions in Somalia and we saw the result of that.

In Haiti I do not know of any house-to-house search for weapons that was not precipitated by some substantial intelligence or some event that took place that led to that.

I do not believe, but maybe I am wrong, that you want to leave the impression that one of the goals of any military deployment in Bosnia would be to begin a house-to-house search of weapons. Do you want to respond to that?

General SHALIKASHVILI. Thank you because I think it is a very important point.

We did learn from Somalia and so when we went to Haiti, we made some very important policy decisions that we would not go hunting for weapons and we would not search houses for weapons, but that we would develop programs for voluntary turn-back of

weapons—and those were the buy-back programs—or that we would encourage others to come to us and bring weapons or point out where weapons were being hidden, the kind of caches. But the task of the force was not to disarm civilians or to do house-to-house searches principally based upon what we have learned in Somalia. So, when I made a reference to Haiti when I answered Senator Warner, it was really more in the context that we have learned more about how to do it and how not to do it.

I would argue very strongly against giving a mission to the NATO peacekeeping force to go in there and disarm people, conduct searches for weapons, but that does not say that we should not have programs appropriate to those conditions there that encourage the voluntary turn-back of weapons or that when we have pointed out to us caches of weapons, help to secure those and turn them back to their legitimate Government of Bosnia forces. And whatever weapons program there is ought to be just as vigorously pursued by the Bosnian Government forces in the first instance than by the NATO forces. But some kind of a program would be very beneficial I think.

Senator NUNN. Right.

General SHALIKASHVILI. May I respond—

Senator NUNN. All you have to do when you fly over Haiti—I have flown all over in a helicopter, and believe me, you could not as a practical matter implement a policy of any kind of house-by-house search. I have not had the same helicopter trip over Bosnia, but from what I understand of the terrain, that would be mission impossible unless you were going to send in an occupation force of just overwhelming numbers to undertake any such mission. To me that would be the way we would end up getting our people killed, not by any kind of concerted military tact but by sniper fire and all sorts of things.

So, whatever policy you have in that regard I would caution that it should be carefully thought through and I did not want to leave the impression that—and I felt that that was the impression that previous round had left—that you were going to contemplate such a mission.

General SHALIKASHVILI. May I respond to the point you made on collateral damage and casualty-free engagements?

Senator NUNN. Yes.

General SHALIKASHVILI. You are absolutely right. I think maybe that is an issue that is an outgrowth of Desert Storm, followed on by our experience in Somalia, and I am very concerned about it. That does not mean that we should not do everything we can as long as we can do militarily sensible things to not only protect our own people to the maximum and also to minimize civilian casualties to the maximum.

But I am also worried not only that we are setting a standard by which this country will judge us and that will only lead to I think very unfortunate consequences, a standard that cannot be maintained in a war, but second that it might begin to have an impact on our young leaders in particular. As they go into an operation, they have to sense that if they, despite their best efforts, suffer casualties, that somehow someone is going to be looking over their shoulders, and how tragic it would be if we did that because

we would grow a group of leaders who, through their hesitancy, would begin to endanger people.

Senator NUNN. I could not agree with you more. I am really afraid that is where we are heading, the combination of the very successful Desert Storm precision weapons and the media not covering some of the damage that took place there, not being able to—I do not blame the media in that respect—and the combination of that, plus the tragedy that occurred in Somalia, followed by demands for immediate withdrawal. Then what I do not want to get into is adding to the expectation that we can carry out precision bombing campaigns in difficult places in difficult geography and have no collateral damage.

So, I think in briefing people and in commenting from the military point of view that there has not been collateral damage that we know of, there ought to be added to that in every briefing that we cannot guarantee there will not be and that is not our sole goal. That is something we strive for as part of the overall mission, but it cannot become the dominant factor of a mission, otherwise we will render ourselves unable to undertake missions and thereby not be able to play the kind of decisive role that we need to in world leadership. I do not think this is an academic, hypothetical question. I think we are pretty close to that point or moving toward it.

Senator COATS. If I could just interrupt, Senator Nunn, I have a commitment that I have to attend here in the Capitol. I would like to turn this over to Senator Nunn who I believe is fully capable of conducting the Senate Armed Services Committee hearing. [Laughter.]

So, I turn it over to him with a very high degree of confidence that is all right and you can take whatever time you like.

Senator NUNN. The only thing that will get us back into leadership is lots of patience and the ability to wear out the majority. [Laughter.]

Senator COATS. Excuse me, General Shalikashvili.

Senator NUNN [presiding]. I will not grab the gavel, Senator Coats, but I will take control until a replacement comes from the majority, and I appreciate it.

I have one other set of questions here that I do not think will take long to answer, but I would like to go through it.

There has been increasing back-biting and criticism from both word of mouth and some articles written about the power of the Chairman of the Joint Chiefs and the service Chiefs and the Office of Secretary of Defense. The thrust of those articles have been too much authority has been shifted toward the Chairman, away from CINC's and away from the service Chiefs.

It has been asserted that the role of the Chairman of the Joint Chiefs of Staff—this is all under Goldwater-Nichols—as principal military adviser to the Secretary of Defense, the National Security Council, and the President, pursuant to Goldwater-Nichols has effectively cut the service Chiefs out of the process. What is your response to that assertion?

General SHALIKASHVILI. I do not believe that is true, but as long as the assertion is out there, all I can tell you is that I will redouble my efforts to make sure that they are brought in. But my sense is that, as I stated before, I believe firmly that the advice I can give

is only strengthened by deeper involvement with the service Chiefs in our deliberations in forming my opinion, and so I have no intent to in any way cut them out.

Anecdotally, as I think back on the important issues that we have had before us, I think we have had a thorough ringing out of the issues. I think that the assertion, therefore, that the services have somehow been diminished in the process is far from correct.

We spoke earlier, for instance, about the Joint Requirements Oversight Council. We have worked very hard not to make that a council of the Joint Staff or the Chairman, but to ensure that the services at the very highest level are involved and therefore the Vice Chiefs are full members. Now, that is a very important responsibility of the Chairman and the Joint Chiefs to ensure that we provide that kind of an impact on to the acquisition of new systems. So, better than ever before, more than ever before, the services are involved in that process and at a very high level.

Senator NUNN. Let me ask you a couple other questions. It has also been asserted that the Joint Staff, by virtue of the independence from service control and the quality of its officers, both of which are objectives of the Goldwater-Nichols legislation, have eclipsed the importance of the staff of the Office of the Secretary of Defense and the services. How would you respond to that assertion?

General SHALIKASHVILI. I do not believe so. The Joint Staff exists to provide advice to me so I can provide the best possible advice to those I am charged with providing that advice to.

Senator NUNN. Do you think they are overwhelming the Secretary of Defense's staff with their expertise and capabilities?

General SHALIKASHVILI. I do not think so. I think, first of all, our functions are different. They provide policy. We look more at the operational matters. I think we compliment each other quite well.

I think what has happened—and I think that was exactly the intent of Goldwater-Nichols—was to improve the quality of personnel assigned to the Joint Staff. That has been accomplished and therefore the Joint Staff now is much better in providing competent, quality advice.

Senator NUNN. Well, as you know, I was very much in favor of that and was one of the architects of that legislation. I applaud the fact that has happened, but I do sense that we are into somewhat of a counter-movement—the beginnings of it—in terms of Goldwater-Nichols, and I think it is important to get you on the record on this.

It has also been asserted that the combination of the Chairman's role as principal military adviser with the assistance of a much improved, qualitatively improved, Joint Staff constitutes a General Staff, the old General Staff business. How do you respond to that?

General SHALIKASHVILI. I believe the law is very clear and our actions have been very clear. A General Staff is one that has directive authority. The Joint Staff does not have any directive authority any more than I have directive authority. I act in the name of the Secretary. So, it sounds good to make that statement, but in fact it is not true because the Joint Staff does not in itself have the authority to direct action and a General Staff does. It is an advi-

sory staff, and that is what the law intended and I think it is working very well.

Senator NUNN. Thank you. I say to my colleagues, Senator Robb and Senator Levin, we find ourselves temporarily in control, and I do not know whether to call on you or to propose legislation. [Laughter.]

I do not know who is next. Could somebody tell me whether Senator Robb or—

Senator LEVIN. You have not even had your round.

Senator NUNN. Senator Robb has not had a turn at all. Okay. Senator Robb.

Senator ROBB. Mr. Chairman, I thank you. I will not extend the questioning at this point. I will rely on the record. I, like Senator Levin and others, was committed elsewhere earlier this morning. I wanted to stop by for a couple of minutes to show the flag.

I had a couple of questions that might be asked, one of which you explored in your last couple of questions with respect to Goldwater-Nichols and some of the things that have been published. Otherwise, I will rely on that.

I will say, Mr. Chairman—and I enjoy using that term. It is a bit of nostalgia. [Laughter.]

But it feels very good even if it is passing. Even if we are not doing anything substantive at the moment, it still for these few fleeting moments feels good.

General Shalikashvili, I thank you for your continued service and I look forward to working with you for the next 2 years.

With that, Mr. Chairman, I will yield to my distinguished friend from Michigan.

Senator NUNN. Senator Levin.

Senator LEVIN. Just a couple additional questions. One has to do with the funding of what are sometimes called “contingency” operations, but which are really current, ongoing operations. What we have done to fund these ongoing operations, for instance, in the Middle East and all around the world is to really steal money from our readiness accounts. In these instances, we have short-changed one of the most important accounts that we have. I think you put readiness right at the top of your list, General, when it came to things you have as a top priority. Personnel and morale obviously right up there with it, but readiness had a very high priority for you. Yet, we know that we are going to be spending money on these so-called contingency operations, but we have not budgeted for them.

Now, the Congress has added about \$7 billion to the administration’s defense budget request. My question of you would be rather than our adding funds for items such as the F-15s, F-16s, B-2s, which are fine equipment but which have not been requested by the administration, would you prefer to see any additional funding by the Congress go into these current, ongoing operations, sometimes called contingency operations, in order to avoid stealing from the readiness accounts?

General SHALIKASHVILI. Thank you very much for the opportunity to talk to what I think is a very important subject.

One of my frustrations has been that we do not have a mechanism to fund continuing operations. As you know, the 1996 budget

does not contain any funds to fund ongoing operations whether they are in northern and southern Iraq or wherever they might be ongoing, obviously the operation in Guantanamo that still is ongoing.

We have, as in the past and as you said, no other choice but to come back to you with a supplemental to ask that we cover these. I think you have indicated last year when we did so—and you will probably again—that these will be monies that will have to be re-programmed at best and that we should not expect much new money for that.

Well, that brings us right back into probably the readiness accounts, the operation and maintenance accounts. So, we are setting ourselves up again for readiness degradation just like we suffered last year around this time from which we have just now come out of because of lack of funding for it. We somehow need to find a way where we can do that.

In the immediate 1996 year, it would be most advantageous if some of that money that you have made available could in fact be programmed against ongoing operations. In the future we will have to find some better way of dealing with this.

I know that Secretary Perry tried to propose a system for 1996–1997. I am not sure that that has found much favor, but we will always be endangering the readiness of the force until we find a way to fund ongoing operations because those operations do not seem to be going away. So, to the degree that this late in the game we can still affect the outcome and make some money available for ongoing operations in the 1996 budget, the better the chance that we will stave off a readiness problem.

Senator LEVIN. Thank you.

General, on a different, more general subject, do you feel that the President and the Secretary of Defense both actively seek and carefully consider your counsel and that of the Joint Chiefs as the administration formulates the security policies both in long-range security decisions and in crisis management?

General SHALIKASHVILI. I am very much convinced that both of those, the Secretary of Defense and the President, and for that matter, the National Security Council, not only welcome military advice, but also seek it, give me every opportunity to voice my views. Again I say that that does not mean that my views are always the ones that prevail, but I can think of only a very few where they have not prevailed and not in cases where I felt that whatever was decided was such that I needed to walk away from it because I could not in clear conscience support that. I am well satisfied that my counsel is sought and it is up to me to marshal the arguments so as to be persuasive.

As far as the Secretary is concerned, I mentioned earlier he himself is so interested in making sure that he gets not only my advice but also the advice of the Chiefs that whenever he is in town we meet at least weekly with the Chiefs and the Secretary and review current issues and discuss whatever might be ongoing at that time. During those sessions, he always seeks the counsel and the advice of the other members of the Joint Chiefs as well. I do not know if any other Secretary had ever done that before. At least I do not recall it.

Senator LEVIN. My last question has to do with the Joint Warfighting Center as an operating agency of the Joint Staff. You made reference to it I believe in your opening statement. It was something that we were very active on, its creation, and so we have very carefully followed it. I am wondering if you could expand a bit on your comments relative to it.

General SHALIKASHVILI. I think the Joint Warfighting Center located in the Tidewater area is an extraordinary part of jointness. Its principal mission is first to help all the warfighting CINC's to organize, develop, structure, evaluate joint training and joint exercises, and second, to help in the development of joint doctrine and joint techniques and procedures for the conduct of operations. It is manned by some very competent folks and backed up by very solid contractor support.

The first year now that it has been in operation, it has been called upon more often than we estimated and we have to increase its budget because the demands from the warfighting CINC's were higher than we thought they would be in the first year.

So, I think for all of you who helped in developing and allowing it to stand up, my deep appreciation. I think we have taken a significant step forward in improving our joint warfighting capability as a result of standing up that center.

Senator LEVIN. Thank you. Thank you, Senator Nunn.

Senator NUNN. Senator Warner, we have just about completed the rounds of questioning and we have passed three bills while you all have been gone. [Laughter.]

Senator WARNER [presiding]. That is all right. The wonderful thing about this committee is we act in a nonpartisan way for the benefit of our national security and our country.

This has been a very fine hearing this morning, General. I have heard from a number of my colleagues how impressed they are with your responses to what I regard as very serious and in-depth questions on a wide range of issues.

General, I feel that we ought to include a paragraph this morning from General Powell's book, and I think it should be a part of the record. "As for my successor, Aspin and Clinton spent a lot of time evaluating several highly qualified candidates. On August 11, the President announced that Gen. John M. Shalikashvili, then Supreme Allied Commander, Europe, would be the next Chairman. If anyone asked me what institution in America provides the greatest opportunity, I say take a look at what the U.S. Army did for me and for General Shalikashvili who did not arrive," speaking of you, "in this country until he was in his teens and who rose to the top after entering the Army as a draftee."

That says a lot. It says to young Americans looking at the military for a career therein lies unrestricted opportunity because the military by necessity has to be viewed, so to speak, from the top down to the bottom, the phrase that you use. There at the top is one who has worked his way up.

I might also mention that Admiral Boorda likewise started as an enlisted man and now is the Chief of Naval Operations.

So, I am not here as a recruiter. [Laughter.]

But I am here to pay tribute to you and other senior officers and non-com's in the U.S. military, all branches of the service, who

have worked together for these many years to create a very clear image that there is opportunity in all of the services, that you are living proof and that your successors will do likewise. That is terribly important today when this Nation is torn apart continuously from time to time by racial tensions, from tensions on lack of opportunity for men and women to compete.

I listened last night to an interesting analysis by David Gergen and a writer about a book that was just written, and they pointed out that, for example, on the campuses today you see a drawing apart of the races, whereas the officers club, the non-com clubs, all those now are a gathering place and there is not a thought given to race, creed, color, or background. Every man is considered for his own—and woman for their own professional ability and their attainments.

I would like to put that in the hearing because I think it is framed magnificently by General Powell in his book, and commend you for what you have done and the leadership you have given and the inspiration you have given to the young men of all the uniforms today. Thank you.

Were there further questions here?

Senator NUNN. No. I would just like to share in your statement, Senator Warner. I think you have made an excellent point. I agree with everything you have said. I do believe that our military forces are the best example of having diversity that can end up with unity, and I do not know of any institutions in America that better exemplify that. So, I applaud that statement, Senator Warner, and I associate myself with it.

Senator WARNER. I thank you, Senator Nunn.

Senator LEVIN. Could I also compliment you, Senator Warner, for raising that very important point about the role that our Armed Forces have played in this society in the particular diversity aspect that Senator Warner made reference to. We have succeed in our efforts at diversity I think better in the Armed Forces than any other institution that I know of in our society.

There are many examples. As a matter of fact, you are one. You are an immigrant. But also areas of race and gender are obviously critical areas, but we should make note of the fact that as an immigrant you have become our top soldier. We are very proud of that in this country. It also means, though, that you cannot run for President. [Laughter.]

The Constitution, though, puts that limit on you. I am not sure our people do. It is the Constitution. I know how much of a restriction that is on you, but you will just have to survive without that. [Laughter.]

Senator WARNER. Senator Robb, you served with great distinction in the Marine Corps and were decorated for combat valor. I am sure you feel similarly on this point.

Senator ROBB. Thank you, Mr. Chairman. I could not add to the comments that have already been made, but I agree with them 100 percent. I think the story of General Shalikashvili is indeed one that we ought to put forward for any of those who are looking for that kind of inspiration.

I was thinking the same thing that Senator Levin thought. The only incapacity that he will have to deal with in a constitutional sense is any ambition in the political sense beyond his current role.

But the Army and the armed services generally have indeed been a leader in bringing this country together in many different ways, and it is particularly nice that both the current and the immediate past Chairman of the Joint Chiefs of Staff have epitomized that particular quality that many of us have recognized for a long time in the armed services. I share, Mr. Chairman, your pride in being associated with it.

General SHALIKASHVILI. I must tell you that I accept that restriction gladly. [Laughter.]

I often feel like I am already over my head. [Laughter.]

But thank you all very much for your kind comments about our armed services. It is really a remarkable institution, but you made it so. So, my deep appreciation to all of you here and all of your colleagues in the committee and in the Senate. We too in the armed forces owe you a great debt of gratitude. Thank you.

Senator WARNER. Well, speaking for myself, I feel my duty is here as trustee for the men and women in the Armed Forces, for their welfare, be it here at home or in the far-flung fronts all over the world because I know you share with me, because we have talked about it, this world remains a very dangerous place with the proliferation of weapons of mass destruction. These young men and women in uniform today are what stand between us and greater problems in our country.

I also feel that for me again personally it is payback because I dropped out of school in late World War II and the military gave me an education both in uniform and indeed through two successive GI bills, one following World War II and the second following my service in the Korean war as a Marine. So, I am grateful.

Now, General, I am going to ask for the record that you address the Bottom-Up Review. I personally feel that this has been a very valuable concept instituted by the late distinguished Secretary of Defense Les Aspin, and I am hopeful that in due course the current Secretary and yourself—Secretary Perry—and I have also mentioned this to him—can conduct another bottom-up review. It gives the Congress of the United States, indeed the whole defense establishment, sort of a baseline and an analysis of where we are today and where we want to be and from whence we have come.

Senator Nunn I believe this morning talked about how well and how fortunate we are as a Nation that, with this very substantial drawdown in Active forces and this drawdown in resources for procurement and other areas which concern you greatly, it has been managed as best it can by the current Secretary and his immediate predecessor, the late Secretary Aspin.

We dearly miss him, by the way. I was a member of the intelligence commission on which he was the chairman, and that commission, I might add, is winding up a very valuable report for the President and the Nation and the Congress.

I will address a question on the Bottom-Up Review and also the involvement of the Joint Staff in resource planning. I think that you have been a champion of that. It is very difficult for those of us in Congress who from time to time have to enter into these deci-

sion making processes to have the valuable advice of yourself and other members of the Joint Staff who are in it every day as to where is the line between the dollars that go into modernization and current procurement and long-term procurement, where are the dollars that have to be allocated to O&M, an area which has been of some serious neglect here of recent. Those are the type of issues that you and the staff help us enormously on.

Senator Nunn, is there anything that you want to—

Senator NUNN. No, Mr. Chairman. I just want to add one question to yours along the line. I would like to ask the General for the record on the Joint Requirements Oversight Council. I think the next dimension that we are going to have to get into of the concept of Goldwater-Nichols of jointness is in the procurement area. I know that you all have been working that, but this whole question of where you start and how you make sure we eliminate redundancies and have requirements.

You know, we have given these special operations forces certain procurement responsibilities because those are joint forces and they have their own responsibilities. I would like to get your analysis at some point about how that is working and then see if that concept could be projected more into the procurement system we have now so that we can begin to have these services start off with joint requirements and then decide which service is going to do what rather than having everybody basically on a stovepipe procurement system. This may be harder even than the operational challenges that we had under Goldwater-Nichols, but I think it is sort of the next dimension of where we need to go.

Senator WARNER. Senator Robb, do you have any concluding remarks?

Senator ROBB. No, thank you, Mr. Chairman.

Senator WARNER. Other than that, the hearing will now be adjourned, and I think you can depart with the feeling that the Senate of the United States will act very promptly and affirmatively on the President's nomination. Thank you very much.

[Prepared questions submitted to Gen. John M. Shalikashvili, USA, by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

CHAIRMAN OF THE JOINT CHIEFS OF STAFF,
Washington, DC, September 14, 1995.

Hon. STROM THURMOND, *Chairman,*
Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your kind words. It is a distinct honor to have been nominated by the President for a second term. I hope to continue my friendship with your committee on behalf of the Nation's defense.

As you requested in your letter of August 16, enclosed are responses to the committee's questions on selected defense issues. I look forward to working with you and the committee throughout the confirmation process and beyond.

Sincerely,

JOHN M. SHALIKASHVILI,
Chairman of the Joint Chiefs of
Staff.

Enclosure:

cc: Hon. Sam Nunn, Ranking Minority Member.

QUESTIONS AND RESPONSES

JOINT WARFIGHTING VISION

Question. The Roles and Missions Commission recommended that the Chairman of the Joint Chiefs of Staff propose, for the Secretary of Defense's approval, a future joint warfighting vision to help guide service force development efforts. The Commission cited the service documents of Forward . . . From the Sea; Force XXI, and Global Reach, Global Power as vision documents for the Navy, Army, and Air Force, respectively that are valuable statements of how each service views its role. The Commission noted that these service documents help form a joint vision but collectively they cannot replace it. What is your view on this recommendation?

Answer. I agree with the Commission that a joint warfighting vision is needed. In fact, I initiated an effort to formulate such a vision (called Joint Vision 2010) earlier this year. This vision looks out 15 years into the future. It is an operational level, joint warfighting vision that will serve as the conceptual blueprint for bridging current with anticipated capabilities. Joint Vision 2010 centers on the vital issue of how the Armed Forces should operate in war—what tasks are expected of us and how we may best perform them.

JOINT DOCTRINE

Question. One of the principle functions of the Chairman of the Joint Chiefs of Staff under the Goldwater-Nichols legislation is to develop doctrine for the joint employment of the Armed Forces. The Commander in Chief, U.S. Atlantic Command (USACOM), and the Joint Warfighting Center are assisting in this effort. The committee has received a sizable number of Joint Publications in recent months. Would you describe the process by which joint doctrine is developed and can you bring us up to date on the progress that has been made in this area?

Answer. We have a disciplined process that ensures that all services, combatant commands, and the Joint Staff have an equal opportunity to shape the development of our joint doctrine. Any service, CINC, or Joint Staff directorate can submit a project proposal when a doctrinal void is perceived. The J-7 validates the requirement, normally with a front-end analysis conducted by the Joint Warfighting Center. These proposals are provided to the CINCs and services to evaluate and are then voted on by our Joint Doctrine Working Party that meets twice per year.

If a proposal is accepted, the J-7 coordinates a Program Directive with the combatant commands and services which outlines the scope of the project, assigns a Joint Staff directorate as sponsor, identifies the lead agent for producing the initial drafts, and establishes milestones. A minimum of two drafts are circulated to the combatant commands, services and Joint Staff for comment before a proposed publication is formally staffed for their concurrence and my approval.

I have approved a joint doctrine hierarchy that currently includes 102 publications. Of these, 63 have been completed and I expect most of the remaining 39 to be completed during the next year. We are also in the process of reviewing all doctrine publications for consistency and converting them to a more readable format.

Question. Do you have any plans for the future in this area?

Answer. The development process for joint doctrine is mature and we have a substantial amount of valid doctrine available, with more soon to come. Therefore, my attention is now focused on awareness, availability, training and assessment. For example, our recent distribution of a Joint Doctrine Professional Library desk set included flag and general officers, members of Congress, and students attending senior service colleges. Joint Doctrine is being taught at all levels of professional military education and we are now "pushing" the publications by mailing them directly to intended users. Most importantly, I am insisting that joint doctrine be exercised and formally evaluated during training, exercises, and operations. Joint doctrine is the playbook for our joint team. My continuing challenge is to ensure that our warfighters have the education and training necessary to employ it effectively.

Question. Some have criticized joint doctrine publications for failing to ensure that the services' strengths are properly utilized and as a Washington staff view that dictates "how to fight" to the warfighting combatant commanders. How would you respond to those criticisms?

Answer. I disagree that our doctrine reflects a "Washington staff view." The services and combatant commands are fully engaged in the doctrine process. In fact, they are the lead agents responsible for authoring 68 publications and are thoroughly involved in all doctrine projects. Our warfighters are encouraged to continue assisting in refining and improving existing joint doctrine through lessons learned and direct correspondence with the Joint Staff. Furthermore, formal assessments of all approved publications are conducted by the Joint Warfighting Center.

The doctrine we are producing reflects the strengths of the services and assists joint force commanders in optimizing the employment of our forces. I feel strongly that this is the way we will, and should, fight our battles. Therefore, I have had the following statement included in the preface of all joint doctrine publications: "The guidance in this publication is authoritative; as such, this doctrine will be followed except when, in the judgment of the commander, exceptional circumstances dictate otherwise."

ADAPTIVE JOINT FORCE PACKAGES

Question. In response to a pre-hearing question at the time of your confirmation 2 years ago, you stated that the concept of Adaptive Force Packages was still "very much in its nascent stages." Would you advise the committee of the developments relating to that concept over the last 2 years?

Answer. The Adaptive Joint Force Packaging (AJFP) concept is still very much alive, but has gone through significant changes in emphasis since its inception. The evolved concept capitalizes on the flexibility inherent in adapting forces for specific scenarios. It also tempers aspects of the original concept that could yield adaptive packages less capable than traditional forces, or that would infringe on the combatant commander's responsibility to determine the optimum mix of forces.

The most visible example of AJFP implementation in the past 2 years is the deployment of joint forces on the aircraft carriers U.S.S. *America* and U.S.S. *Dwight D. Eisenhower* for Operation Uphold Democracy in 1994. Special Operations Forces were embarked on U.S.S. *America* for the assault phase of the operation. Units of the Army's 10th Mountain Division embarked on U.S.S. *Dwight D. Eisenhower* were to enter Haiti following the assault phase to begin the transition to democracy. Due to the success of the negotiations by former President Carter, Senator Nunn, and General Powell, the assault was not necessary and the 10th Mountain Division units entered Haiti virtually without resistance. In this relatively permissive situation, replacement of the standard Carrier Air Wing with ground forces was appropriate. Had there been any significant threat, a combatant commander would almost always choose to have a Carrier Battle Group integrated with appropriate ground forces in order to have a full spectrum response/deterrence at his disposal.

The requirement for maintaining a forward presence in key areas of the world is a cornerstone of the national security strategy. As force structure continues to decline, we must continue to develop the AJFP concept to allow us to stay engaged globally with fewer resources and at acceptable risks to our people.

Question. Do you envision further refinements in the implementation of the concept in the future?

Answer. As our force structure has declined, one element that has become obvious is that much of the immediate response and global presence tasking is being assigned to just a few mission-specific assets and types of forces. I have directed a comprehensive effort in this area to better take advantage of our capabilities without overstressing particular resources. The thrust of this effort is to develop a coordinated worldwide sourcing policy for supported CINCs to draw upon low density/high demand force elements. The objective is to design a policy that:

- Systematically and effectively allocates these low density/high demand assets and units.

- Meets long-term standing JTF requirements.

- Keeps OPTEMPO/PERSTEMPO at manageable levels.

- Still provides a surge capability for unforeseen crisis or contingency response.

Our plan of attack in the near term is to identify specific limited high-use assets and establish their operational availability in light of current deployments in support of ongoing JTF operations. Next we will ask the CINCs to articulate further their requirements for these assets in terms of mission capabilities and presence. Finally, we will issue the coordinated policy I spoke of above, that sets forth guidance and global priorities for the allocation of low-density/high-demand forces.

READINESS

Question. Secretary Perry has made readiness a major priority for the Department of Defense. The readiness problem that occurred in the last quarter of fiscal year 1994, wherein three later deploying Army divisions, two of whom were scheduled to be taken out of the force, experienced a readiness degradation, led to a number of initiatives. During your testimony before the committee in February, you advised of the formation of the Senior Readiness Oversight Council and the design of a system to assess and report the readiness of forces to conduct joint readiness. Can you bring us up to date on these two initiatives and can you give us a snapshot on current readiness?

Answer. There are two senior deliberative bodies that review readiness monthly within the department:

(1) The Joint Monthly Readiness Review (JMRR) is prepared and conducted by the Joint Staff and the services, with input from the CINCs and the Combat Support Agencies (CSAs). It provides a current and broad assessment of the military's readiness to fight, across all three levels of war. The assessment is presented to the Vice Chairman of the Joint Chiefs of Staff and service Vice Chiefs.

(2) The Senior Readiness Oversight Council (SROC) brings senior department civilian and military leadership together monthly to review significant readiness concerns. SROC membership includes the Deputy Secretary of Defense, the Vice Chairman of the Joint Chiefs of Staff (VCJCS), the service Chiefs, the Under Secretaries of Defense, the Under Secretaries of the military departments, and other senior OSD officials. At each meeting of the SROC, the services provide a current and projected assessment of unit status, similar in scope and form to the assessment provided in the JMRR.

Together, the JMRR and the SROC provide oversight of the readiness of our Armed Forces, and result in a risk assessment of our ability to accomplish the National Military Strategy.

In addition to providing information to the SROC, the JMRR process is the central component of the Chairman's Readiness System. It was designed and implemented last fall to provide the CJCS the information necessary to fulfill his requirement to keep the Secretary of Defense and Congress informed of force capabilities and deficiencies. It assesses both unit and joint readiness. Unit readiness is assessed by unit commanders and reported through the services. Joint Readiness is assessed and reported by the CINCs. Each level of readiness has unique metrics. Unit readiness metrics focus on people, training, and equipment. Joint readiness is assessed against key functional areas that enable CINCs to integrate and synchronize forces. The readiness assessments are, by nature, subjective—the metrics do not define readiness by themselves. They are tools used by those responsible for readiness—unit commanders and CINCs.

The Chairman's Readiness System applies to the Joint Staff, services, Unified Commands, and Department of Defense Combat Support Agencies [Central Imagery Office (CIO), Defense Intelligence Agency (DIA), Defense Information Support Agency (DISA), Defense Logistics Agency (DLA), Defense Mapping Agency (DMA), and National Security Agency (NSA)].

Question. Can you give us a snapshot on current readiness?

Answer. Certainly, but for a complete assessment I provided an answer to this question in a classified appendix provided under separate cover.

Question. What is the principle threat to near and long term military readiness?

Answer. For a complete answer, please see classified appendix.

UNIFIED COMMAND PLAN

Question. One of the strengths of the decision to assign virtually all CONUS based forces to U.S. Atlantic Command (USACOM) and to make the combatant commander (USCINCCOM) responsible for the joint training and joint readiness of those forces was the perspective that the CINC brought as a combatant commander with a geographic area of responsibility (AOR). With the end of the Cold War, USACOM's responsibility has changed dramatically and, as demonstrated by the various operations in and around Haiti, is focused to a great extent on the Caribbean area.

The Commission on Roles and Missions has recommended that USACOM become a functional unified command and lose its geographic AOR. What is your view on this recommendation?

Answer. This issue is currently being studied by the Joint Staff, in collaboration with the Joint Chiefs and CINCs, as part of the 1995 Biennial Unified Command Plan (UCP) Review. I expect to forward my recommendations on the UCP to the Secretary in the coming weeks. The following are my initial thoughts:

First, all geographic CINCs have joint training and joint force integration responsibilities . . . admittedly, the CONUS-based joint force integrator having a much larger pool of assigned forces for which USCINCCOM is responsible.

The original concept for USACOM as the CONUS-based joint force trainer/integrator was based on assigning additional responsibilities to an existing geographic combatant commander in order to take advantage of the CINC's warfighting perspective and that of his headquarters staff. The Atlantic Command AOR was determined to be modest enough to permit addition of new responsibilities.

I believe that concept remains valid. USACOM should retain both geographic and functional responsibilities to allow the CONUS-based Joint Force Integrator concept

more time to mature. While it is probably appropriate to reduce somewhat USACOM's geographic area of responsibility, I think it important that the command retain geographic warfighting responsibilities.

IMPACT OF GOLDWATER-NICHOLS

Question. More than 8 years after the enactment of the Goldwater-Nichols DOD Reorganization Act of 1986, there have been some commentaries critical of the authority and influence that the Chairman and the Vice Chairman of the Joint Chiefs of Staff have gained partly as a result of the act and partly due the inability of civilian officials in the services and the Office of the Secretary of Defense to match the expertise and the continuity that resides within the Joint Staff. What is your view on this issue?

Answer. In its staff report, "Defense Organization: The Need for Change," dated October 16, 1985, the Senate Armed Services Committee found, "The institution (Joint Chiefs of Staff) does not seem to be able to provide the quality of professional military advice that the President, National Security Council, and Secretary of Defense should have when they are resolving complex defense issues. Testimony from former Assistants to the President for National Security Affairs, Secretaries of Defense, and JCS members indicates that the institutional views of the JCS corporate body often take too long to complete; are not in the concise form required by extremely busy senior officials; and, most importantly, do not offer clear meaningful recommendations on issues affecting more than one service. Deficiencies in JCS advice have encouraged senior civilian officials to rely on civilian staffs for counsel that should be provided by professional military officers." The report pointed out, "The difficulty was caused by the system, not the people."

Accordingly, the Goldwater-Nichols DOD Reorganization Act of 1986 was crafted to remedy organizational deficiencies in the JCS system through four major objectives:

- To strengthen the role of the Chairman of the Joint Chiefs of Staff, making the Chairman the principal military advisor.
- To create the position of Vice Chairman of the Joint Chiefs of Staff.
- To improve the quality, influence, and importance of the Joint Staff and to make the Joint Staff responsible to the Chairman, not exclusively the corporate JCS.
- To strengthen the influence of the Commanders in Chief of the combatant commands in the allocation of resources—financial, personnel, and materiel—of the Department of Defense.

I take care in consulting with and seeking the advice of the Vice Chairman, other members of the Joint Chiefs, and the CINCs in executing my duties and responsibilities as Chairman. I am absolutely certain that the current system is far superior to the system in existence before Goldwater-Nichols and results in the best possible military advice to the President, the National Security Council, and the Secretary of Defense.

RESERVE ISSUES

Question. The National Defense Authorization Act for Fiscal Year 1995 (section 513) required the Secretary of Defense to review the opportunities for reservists to be ordered to active duty with their consent during peacetime to fill positions normally filled by active duty members. Additionally, the act required a plan to increase the opportunities for reservists to serve in such positions. What efforts, if any, are underway to increase the opportunities for reservists to serve voluntarily as described in the National Defense Authorization Act for Fiscal Year 1995?

Answer. In April 1995, The Secretary of Defense signed a policy statement for increased peacetime use of the Reserve components. The purpose of the policy is to target opportunities for Reserve forces to provide OPTEMPO/PERSTEMPO relief in those areas where Active components are severely stressed. The goal is to institutionalize the process in the programming and budget cycle.

The Joint Staff requested input from the CINCs on proposals/projects to use Reserve forces in their theaters. As a result of that request, the CINCs and USFK have submitted 645 proposals.

Before funding is requested, the services will advise which projects can be supported with existing Reserve component assets. Services will ensure that participating Reserve units can accomplish mission readiness and training requirements.

For fiscal year 1996, this program includes \$25 million in the Defense-wide O&M account. Upon approval, funds will be made available to the services, CINCs, and agencies who are to provide matching funding during program execution. ASD/RA

plans to announce fiscal year 1996 approved projects/requirements by September 30, 1995.

Question. Section 666 of Title 10, United States Code, requires the Secretary of Defense to establish personnel policies emphasizing education and experience in joint matters for reserve officers not on the active duty list. What progress has the Department made to implement this provision?

Answer. The Department has worked hard to develop procedures for the Active component to comply with law. We are carefully reviewing which provisions that govern the Active component should be applied to the Reserve component. Additionally, OSD(RA) is conducting a study to determine the Reserve billet requirements and document available joint education tailored for reservists. Once billet and educational needs are identified, OSD(RA) is expected to develop a policy tailored to the Reserve component. The Joint Staff is supporting the development of that policy.

Question. Are there specific initiatives underway to enhance the joint education and experience of reserves not on the active duty list?

Answer. Selected Reserve Component (RC) officers attend a 10-month service command and staff college or a 10-month war college in-residence. RC participation at senior level colleges has increased 56 percent since 1989. RC officers are encouraged to complete non-resident joint education programs provided by the services. At a more senior level, RC general/flag officers may be selected to participate in the 6-week Capstone course when services do not fill assigned quotas with active duty personnel. The Joint Staff is working with OSD(RA) to identify the annual requirement for RC participation at Capstone.

We are coordinating with the CINCs and services to build and test Joint Reserve Augment Units which will bring together reservists from all services into one unit for the purpose of joint training. The Joint Staff is also leading a zero-based review of all Individual Mobilization Augmentee (IMA) requirements across the CINCs and within the Joint Staff. This review is expected to develop additional opportunities for Reserve participation in joint positions.

Question. Is the Department experiencing any impediments in implementing this provision? If so, please elaborate.

Answer. No impediments exist.

The Joint Duty Assignment List is, and has been, a fundamental feature of the Department's Joint Officer Management.

Question. What efforts have been made, are underway or are planned to integrate Reserve component positions into the Joint Duty Assignment List?

Answer. While conceptually appealing, it is unclear whether administering reserve joint duty under a single duty list would be advantageous or result in a ungainly and cumbersome list. Differences between the Active and Reserve components drive the need to tailor specific policies that balance the needs of reservists operating in a joint environment while accommodating the peacetime status and availability of reservists. We are carefully reviewing which provisions that govern the Active component make sense for the Reserve component before applying them to the Reserve component.

EASE CLOSURE

Question. As you are aware, the Defense Base Closure and Realignment Commission will expire at the end of this calendar year. Despite the significant number of closures and realignments accomplished to date, by all accounts the Department of Defense is still burdened by excess infrastructure. What are your views on extending the tenure of the Base Closure and Realignment Commission? For how long? Should there be another round of base closures? When?

Answer. During my testimony to the 1995 BRAC Commission, I stated that excess capacity would remain in the Defense Department after this closure round. I stated that I saw the need for additional base closing authority in the future.

DOD will be implementing the closures and realignments of the most recent Commission, and prior Commissions through the end of this decade. The Defense Base Closure and Realignment Act requires that all action be completed within 6 years. I am of the view that Congress should authorize another Base Closure Commission in the next few years.

PRE-POSITION SITES

Question. In the fiscal year 1996 Military Construction Request both the Army and Air Force requested funding for facilities at classified locations to support the preposition program. The funds for these three projects were denied by the Senate Appropriations Military Construction Subcommittee on the grounds that they

should be provided for by the host nation. To what degree are our allies providing support for sustaining our Armed Forces at overseas bases?

Answer. The issue of burden, or cost sharing, encompasses a broad range of contributions and activities and, thus, in recent years we have adopted the term responsibility sharing to more accurately describe this range of allied efforts. These include allied contributions to international security such as defense spending, alliance treaty commitments, access and other rights, foreign aid, peacekeeping contributions, host-nation support (HNS), etc.

I encourage, and am encouraged by, our allies support for U.S. forces. This support includes costs and foregone revenue incurred by nations hosting U.S. forces. For example, Germany provided over \$1.43 billion in HNS in 1993 consisting of waived rents, fees and charges for land and facilities, and other payments such as labor, utilities, as well as construction and logistics support. Other allies make similar contributions. For example, in Korea, the Republic of Korea Government has agreed to defray one-third of the United States' local currency costs of stationing U.S. forces on the Korean Peninsula. For 1995, the ROK cost-sharing amount was \$300 million. All of these contributions reduce to the U.S. Government the cost of the stationing of forces overseas.

The issue of military construction for the prepositioning of materiel and equipment in Southwest Asia is yet another example of HNS. The Defense Department is in the process of positioning a second brigade of equipment in a classified host nation. This pre-positioned set is vital to the overall strategy for protection of U.S. interests in SWA and will significantly enhance the deterrent factor. The host nation is providing significant assistance-in-kind (AIK) in support of this program. Their commitment is shown by donations of land to construct the storage facilities. Donations also include utilities, site security, transportation and housing. Additional savings are accrued with the waiver of customs fees for U.S. construction material and through the use of existing host nation roads, ammunition storage facilities, water and electrical capacity. In total, these savings are equivalent to a one-time cost of \$34.7 million paid for by the host nation and annual costs of \$12.3 million. Host nation leadership continues to display its commitment to this pre-positioning program and remains open to continued discussions for additional AIK. Operation Vigilant Warrior, in the fall of 1994, and currently Operation Vigilant Sentinel, have again demonstrated the necessity for pre-positioning in SWA. The Military Construction project and resultant pre-positioned equipment solidify U.S. commitment to our allies and serve as a visible deterrent in this volatile region.

Question. What role do you as the Chairman of the Joint Chiefs have in encouraging our allies to assume a greater share of the cost for maintaining U.S. forces in overseas bases?

Answer. I play an active and continuous role in encouraging allies to contribute their fair share to our collective defense in accordance with our national policy. I will continue to engage my counterparts on this issue to ensure that we share the responsibilities as well as the benefits of the common defense and security we all enjoy.

BUDGET

Question. The General Accounting Office has reported that the President's Bottom-Up Review is underfunded by some \$150 billion. What will you do to ensure that our military forces are adequately equipped and trained to carry out the national security strategy set forth by this administration?

Answer. As I have testified to Congress our long-term challenge will be to modernize and recapitalize our force within expected DOD budget projections. Many parallel efforts are underway to reduce overhead, including BRAC, acquisition reform, privatization studies, and reduction to Defense agencies. These are complimented by Joint Requirements Oversight Council (JROC) initiatives to prioritize our warfighting enhancements, eliminate duplication, assume prudent risk where possible, and achieve efficiencies through modeling and simulation. These efforts are designed to ensure that our future force will be adequately equipped. Readiness continues to be the top priority for our forces, and as a vital component of readiness, training is also very important. Adequate training is essential to our ability to carry out the national security strategy. As such, in the President's budget we are protecting OPTEMPO levels, service-associated training, and joint training, including the Joint Exercise Program.

Question. As you know, the Congressional Budget Resolution allocated an additional \$7 billion in Defense budget authority above the amount requested for fiscal year 1996, and \$14 billion above the projected President's budget for fiscal year 1997. What would be your highest priorities for this additional funding for fiscal

year 1996? For fiscal year 1997? Please be as specific as possible, especially with respect to fiscal year 1996. General categories (i.e., training, recruiting, airlift sealift, amphibious forces, tactical aircraft, bombers, missile defense, etc.) would be sufficient.

Answer. Contingency funding is at the top of the list for any additional funding provided by Congress. On-going contingency operations in Bosnia, Iraq, and Cuba (refugee support) will require significant funding from readiness-related accounts unless appropriations are provided up-front, or through a timely budget supplement. Other priorities for additional fiscal year 1996 funding would include the acceleration of warfighting enhancements identified in the Bottom-Up Review (BUR) and endorsed in subsequent reviews. This includes additional sealift and provisioning, additional weapon and precision-guided munitions inventories, enhancements to aircraft munitions delivery capability, and making high-leverage communications improvements. Other priorities would include funding critical modernization and procurement requirements that have slipped in the FYDP. These include attack and scout helicopters, fighters, tactical vehicles, and the DDG-51. Regarding fiscal year 1997, I would not change any of these priorities at this time. Additional funding could provide a much needed opportunity to protect and accelerate important recapitalization of aircraft, ground vehicles, and ships. Current low levels of procurement funding are not fixed until well out in the FYDP, and there is concern that total needs then may be tough to satisfy.

Question. To what extent does the current President's long-term Defense budget plan reflect the combined needs of the services as identified by the Joint Warfighting Capability Assessments (JWCAs) conducted by your staffs and the warfighting CINCs?

Answer. The Joint Warfighting Capability Assessment (JWCA) process has made significant progress in integrating joint force needs in the defense budget. The services and CINCs are full participants in JWCAs, and this participation alone provides an important input to the formulation of service budgets. The JWCA process is also used extensively in the development of DOD's annual Defense Planning Guidance (DPG). This year, based in large part on JWCA conclusions, I provided advice on joint warfighting needs directly to the Secretary of Defense in the form of the Chairman's Program Recommendations (CPR). These recommendations, which included both short and long-term programs, were endorsed and incorporated in the DPG. Again, out-year modernization remains a central challenge as we formulate the fiscal year 1997 Defense Budget Request.

Question. Do you believe that allowing each of the services to continue to plan and develop their own individual budgets is still a useful means of providing the most effective defense capability for the taxpayer's dollar?

Answer. I believe that continuing to have each of the services provide individual budgets is both appropriate and viable. The services, by law, are the "force providers," and in this role are in the best position to plan and develop detailed budgets. Their responsibility to "organize, train, and equip" forces is only accomplished if they have budget and execution responsibility. Extensive OSD, joint service [Joint Requirements Oversight Council (JROC)], and Joint Staff review processes provide for considerable scrutiny of service budgets and ultimately result in integrated (and cost effective) budget decisions. The intensive program and budget reviews each year and numerous ad hoc reviews provide for close scrutiny, assessment, and action on service budgets.

OPERATIONS OTHER THAN WAR

Question. What is the proper role of military forces in humanitarian operations and international disaster relief? How is the military uniquely suited to provide this assistance? Does this require special training?

Answer. Generally, humanitarian concerns are best met by other organizations, government and private, that exist to do this important work. However, there are some instances when it would be appropriate to use the military, but only if four criteria can be met:

- First, we face a natural or manmade humanitarian emergency that is gravely urgent and that dwarfs the ability of the normal relief agencies to respond.
- Second, there is a clear purpose, an achievable objective, and an identified end-state.
- Third, the response requires resources or capabilities unique to the military.
- And fourth, the costs and risks of military engagement are commensurate with the interests at stake in the situation.

The U.S. military has certain unique and unmatched capabilities, especially with regard to rapid response time, logistics, transportation, and command, control, and

communications. Certain components of those capabilities can be carried out by civilian agencies. But, depending on the scale and sense of urgency, the U.S. military may offer an immediate and necessary comparative advantage over other organizations until an orderly transition can be arranged. This comparative advantage will be situation dependent, and must be evaluated on a case-by-case basis. As demonstrated in Rwanda with Operation Support Hope, only the U.S. military had the unique capability to jump start a relief effort and begin saving lives in the short term. Only the U.S. military can conduct massive airlifts and bring in specialized equipment needed to relieve the suffering.

Supporting humanitarian operations and international disaster relief does not require special training. Inherent military skills are adapted to perform the tasks required by the situation. Nonetheless, training scenarios are conducted routinely to provide the leadership echelon of our forces the opportunity to interface with representatives of the primary relief organizations and key members of the Interagency to practice the coordination needed in response to humanitarian crises and international disasters.

Question. What is the role of special forces in non-traditional military operations? Does this require special training?

Answer. U.S. special operations forces (SOF) are organized, trained, and equipped to provide capabilities which, in the aggregate, are unmatched in the ability to deal with an uncertain environment characterized by "fourth generation" warfare (such as in combating terrorism and the like).

U.S. SOF regional orientation, high state of readiness, control of programming, budgeting and R&D; combined with robust command and control structures provide a force which is uniquely capable of dealing with threats characterized by subnational groups, disintegrating social structures, disease, and environmental degradation.

U.S. Army Special Forces have always been language-qualified as well as regionally focused, and the regional orientation of other SOF component forces has been expanded. We have added two SF battalions oriented on the Caribbean and Africa. During fiscal year 1994 SOF operated in 139 nations while, on a weekly basis, some 2 to 3 thousand SOF personnel are deployed to 60 to 70 countries.

SOF have led the way in providing liaison elements and coalition support teams manned and equipped to assist joint commanders in synchronizing military and non-military forces from diverse backgrounds into a coherent force for operations.

SOF personnel are the key to our success. Haiti provides the most recent example of this essential quality. Mature, highly trained, flexible and innovative operators moved into the countryside, helping the Haitian people set up police forces, courts, and government services to provide law and order and bolster democratic rule. They resolved disputes, repaired utilities, prevented violence, offered medical aid, and conducted information campaigns. Other teams provided coalition support teams to foreign contingents in the multinational force and international police monitor force.

The U.S. Special Operations Command integrates programming, budgeting, and research and development to ensure resources are prioritized to support a flexible and responsive acquisition system which can rapidly procure state of the art equipment.

Theater Special Operations Commands (SOCs) provide regional CINCs with headquarters to plan and control the employment of joint SOF in conventional and non-traditional military operations. Theater SOCs have formed joint special operations task forces several times, including Provide Comfort in northern Iraq, humanitarian relief efforts in Rwanda, and, lately, multinational force training in Haiti.

SOF provide capabilities which are unparalleled in the United States or International military. An example is the pinpoint aerial fire support provided by the AC-130 gunship and the broadcast capabilities of Command Solo PSYOP EC-130s.

Psychological operations, known as PSYOP, are one of our least known, yet potentially most powerful, combat force multipliers. During Desert Storm, PSYOP reinforced the effects of coalition combat power and helped to encourage the desertion, defection and surrender of nearly 80,000 enemy soldiers. In Haiti, PSYOP paved the way for the return of democracy.

Civil affairs units can materially improve the very conditions which are often the root causes of conflict. Improvement or reinforcement of the civilian infrastructure directly improve the host nation's ability to deal with natural disasters, pollution, transportation, sanitation, and other public services. Highly skilled civil affairs personnel, 97 percent of them reservists, performed such services in Panama, the Persian Gulf, and Haiti.

A continuous, regionally oriented, joint training program maintains this highly ready force. SOF personnel are the beneficiaries of extensive and specialized train-

ing which prepares them for the myriad, and unpredictable, challenges which accompany our involvement in non-traditional venues.

GOLDWATER-NICHOLS

Question. Considerable concern has been expressed by both active and retired General/Flag officers over a perceived shift in power from the service Chiefs to the Chairman's office. Do you believe that such a shift has occurred or is occurring, and if so should it continue?

Answer. The role of the Chairman of the Joint Chiefs of Staff was strengthened as a result of Goldwater-Nichols; that was expressly intended. I support this and any effort in principal that has at its philosophy and methodology to provide the best possible military advice to the National Command Authorities.

In its staff report, "Defense Organization: The Need For Change," the Senate Armed Services Committee found, "Though having the title of chairman, the JCS Chairman is by law one of five equals. . . . The inability of the JCS Chairman, the only JCS member with no service responsibilities, to exercise more than limited authority independently of the service Chiefs makes it difficult for him to advance his unique joint perspective on issues affecting more than one service".

Accordingly, to improve the quality and timeliness of military advice to the National Command Authorities, the Goldwater-Nichols legislation enhanced the role of the Chairman as the principal military advisor.

Question. Do you feel that the Chairman, in the role of principal military advisor to the President, can act as an advocate for the services as effectively as the service Chiefs, whose roles are more top-down oriented?

Answer. As principal military advisor to the President, the National Security Council and the Secretary of Defense, the Chairman has several duties and responsibilities in statute and in directive. All are focused on assisting the President and the Secretary of Defense in providing for: (1) the unified strategic direction of the combatant forces . . . joint combatant forces, (2) their operation under unified command, and (3) their integration into an efficient, joint team of land, naval, and air forces. As such, the Chairman is more an advocate for the total Armed Forces than any one service.

We have seen in the most recent Defense budget request a major shift toward upgrades and "quick-fixes" and a move away from new procurement.

Question. How long do you plan to continue this trend? Do you foresee a readiness crisis developing as a result of not providing for adequate replacement and next generation equipment?

Answer. I think you will continue to see quick-turnaround program upgrades based on operational lessons learned. The helicopter tragedy in Iraq, and the efforts we have made to provide better friendly force identification capabilities is a good example of this. But regarding major new procurement, it is true that budget reductions have caused us to cancel, stretch out, or revert to prototype many modernization programs. And I am concerned about the effect this may have on future readiness. That being said, however, we are taking steps toward fixing this trend. We are making a major push in the budget under development to preserve existing modernization programs such as the C-17, F-22, F/A-18E/F, M1 Tank Upgrade, DDG-51, and the SSN-21, and we expect to achieve significantly increased procurement later in the FYDP. If this future procurement funding can be preserved, we should be able to adequately bring on replacement/next-generation systems that will enable tomorrow's readiness. But constant ability to modernize and recapitalize the force remains one of my major concerns.

QUALITY OF LIFE

Question. You, along with the Secretary of Defense, have made it clear that quality of life for sailors, soldiers, airmen, and marines has been the Department's principle concern over this last year. As a result, funding has been shifted toward those budget areas, and impressive and aggressive steps have been made to correct many of the problems you identified. How do you expect to maintain an appropriate level of support for this category of funding, at the same time demands created by inventory replacement are increasing, and existing weapons and weapons systems reach the end of their service life?

Answer. I feel that maintaining quality of life programs is a matter of leadership choice and emphasis. Inventory replacement and updated weapons systems derive their utility only from having motivated, qualified, and dependable people to operate them. Keeping our commitment to our people through pay, housing, stable retirement, and dependable health care is essential to keeping a strong military.

It won't be easy. "People" programs have always had to compete with modernization and inventory replacement for scarce defense dollars. Replacing and updating weapons systems are vital to remaining ready into the 21st century; however, to realize the benefit of those systems, we must be able to recruit and retain the high quality service members needed to operate them. And to do that, we must provide our service men and women with a reasonable quality of life.

We have been involved in an ongoing effort this past year to improve quality of life for our service members. Last November, Secretary Perry announced his initiative that added \$2.7 billion to quality of life programs over the next 5 years. Since November 1994, there has been a Herculean effort to determine the best application of those funds. In addition, the services and secretariats have worked closely to develop or improve low-cost programs that enhance quality of life.

We will continue to closely monitor our quality of life programs to prevent losing ground in the advances we have made thus far.

JOINT EXERCISE, TRAINING AND DOCTRINE COMMAND

Question. Language in the committee report, Senate Report 104-112, (page 275) urges you to consider forming a Joint Exercise, Training and Doctrine Command which would concentrate on joint training and readiness. The report language notes that the Joint Warfighting Center in Norfolk has the mission to assist the CINCs in their preparation for joint and multinational training and exercises. In your view, does the concept of a Joint Exercise, Training and Doctrine Command have merit or is that mission accomplished adequately by CINC USACOM and the Joint Warfighting Center?

Answer. The Joint Staffs J-7 ensures I am presented with the best doctrine for my consideration and approval. The establishment of the Joint Warfighting Center (JWFC) as a field operating agency of the Joint Staff, J-7, has strengthened this process. Making the JWFC a separate command, or creating another command with responsibilities as stipulated by the proposed legislation, would remove it from its direct tie to the Joint Staff, reducing the ability of the Joint Staff to give quality doctrinal advice and options to the Chairman.

The same desired effect of the proposed legislation could be realized by enhancing the JWFC with additional personnel and funds, but keeping it attached through the J-7 to the Joint Staff. This allows the JWFC to assist in the development of doctrine by bringing together the service doctrine commands and centers as well as the combatant commands while still staying above any parochialism. It also allows a smooth interface and transition of the doctrine to the Joint Staff which ultimately must take place before my approval.

LESSONS LEARNED (also see classified appendix)

Question. What are the most important lessons you have learned during your initial term as Chairman of the Joint Chiefs of Staff?

Answer. Several come to mind:

Joint Warfare. No conflict in the foreseeable future will be a single service event. Joint warfighting is thus the key to success and we must continue to fund, equip and train our forces to that end.

Readiness. Each successful employment of U.S. forces over the last 2 years has illustrated that readiness of the Armed Forces is the linchpin of the Nation's military capability. As we complete the reduction of the size of our military, we must ensure the readiness of remaining forces to execute the full range of missions that they are increasingly being called upon to execute.

Joint Doctrine. One of the most important lessons learned is that joint doctrine must be authoritative. As a result of the Blackhawk helicopter shootdown, I directed that joint commanders use established joint doctrine when conducting joint operations. In the past, joint doctrine was advisory in nature, providing guidance for commanders to consider when conducting joint operations—now joint doctrine is mandatory.

Operational Lessons Learned. Given the limited resources and the costs, in both human lives and dollars, we have to reduce our errors in time of conflict. We must emphasize the continuous education and documentation of the lessons learned from our exercises and past operations. Moreover, we must live by them.

JROC and JWCA. The JROC has developed into a valuable tool for analysis of requirements to increase joint capabilities. It reviews the requirements for major acquisition programs. The JROC also serves as the primary forum for developing Joint Warfighting Capabilities Assessments (JWCAs) which lend insight into issues involving requirements, readiness, and plans for recapitalizing joint military capabilities.

Nimble Dancer/Nimble Vision. I continue to analyze our warfighting capabilities to ensure that we can meet the requirements of the two MRC strategy. The Nimble Dancer scenarios allowed the CINCs and me to war game our capabilities with force structure projected for the out years. It also validated that we do possess adequate capabilities for the two MRC strategy. The Nimble Vision scenarios will take us to another level by evaluating the effects of C⁴I ISR (intelligence, surveillance, and reconnaissance) on the warfighter.

Reserve Issues. Total force capabilities have been enhanced by realigning force structure, upgrading weapons systems and equipment, and incorporating Reserves more in peacetime support of the Active component. Although significant challenges still exist, some Reserve units are now fielding new equipment at the same time as the Active component. Initiatives to involve the Reserves more fully in peacetime missions to relieve Active component OPTEMPO are moving forward successfully. The employment of reservists in such operations as Uphold Democracy, Vigilant Warrior, and Deny Flight have proven the viability of the total force concept.

Budget Process. As financial resources continue to be limited, we must continue to improve the quality of the budget process. The CINCs are activity involved in determining the requirements for our joint warfighting capabilities. There is significant interaction among the CINCs and services throughout the budget process to insure we maintain adequate capabilities. I also have the opportunity to review service POMs and make recommended adjustments to the Secretary of Defense.

Joint Exercises. While we are improving in this area, we still have a long way to go. Specifically, we first need to enhance the quality of the joint training we are accomplishing during our joint exercises. Second, we need to look for improved joint training through the uses of modeling and simulation. And third, we need to increase the amount of joint training achieved while meeting our forward presence commitments. I intend to remain actively engaged in striving to improve joint exercises.

Recruiting and Retention. The quality of today's Armed Forces is at historic highs, reflecting our concerted efforts over the past decade to access the best educated and most motivated young men and women our Nation has to offer. As we proceed into the next century and continue to develop and deploy increasingly sophisticated equipment and systems, we must continue to focus on quality in recruiting and retention efforts.

PERSTEMPO. While morale and retention throughout the force are currently high, we must continue to be concerned with the long-term impact of increased operations. Staying out in front of this issue is important: first, we must stay aware of the PERSTEMPO of the force; second, we must factor in PERSTEMPO when making force employment decisions; third, we must be receptive to innovative new ideas to reduce excessive PERSTEMPO—creative use of Reserve forces and navel force mixes, to name a couple. The PERSTEMPO data collected to date indicates no adverse effects except in very localized areas that are being addressed by the services and Joint Staff. We will continue to monitor the levels of operations and their effect to ensure that we maintain a ready and capable force.

Crisis Intelligence. Successful national-level support to operational commanders depends upon effective cooperation and interoperability not only vertically, between national and subordinate echelons, but also horizontally, between all national-level organizations themselves. The intelligence collection, production, and dissemination must be compressed so that it fits within the operational support cycle. Military intelligence has taken measures to accomplish this (with fewer resources) by embedding joint culture in all operations and searching for innovative ways to align peacetime structures and activities to ease the transition to war. We institutionalized the National Military Joint Intelligence Center, and we consolidated theater intelligence assets into Joint Intelligence Centers. The Director, DIA, in his de facto role of Director Military Intelligence (DMI) had led military intelligence community efforts to enhance warfighter support and foster jointness. The DMI has brought together senior intelligence officers from across DOD to review and evaluate intelligence support to the warfighter. Through these efforts, the DMI has enhanced coordination and interaction, and fostered the interoperability of all military intelligence efforts.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR SAM NUNN

U.S. SERVICEMEN IN OKINAWA

Senator NUNN. Do the suspects have military counsel?

General SHALIKASHVILI. Prior to being questioned by NCIS, the suspects were advised of their right to remain silent and their right to a military lawyer concerning UCMJ matters, and waived both, except for HN Gill who invoked his right to silence. The suspects have also been advised of their SOFA rights and possible UCMJ and administrative problems by the staff of Lt. Col. Craig Meyers, the SJA at MARCORBASESJAPAN, per chapter 9 of COMNAVFORJAPAN INSTRUCTION 5820.16 (copy follows). According to Lt. Col. Meyers and CDR Torn Greene (COMNAVFORJAPAN SJA), neither the Marine Corps nor the Navy appoints military counsel to act as an advisor for a military member on matters related to criminal investigations by local authorities. Hence, the three suspects have no military legal representation.

Senator NUNN. What are the rights to counsel under Japanese criminal rules?

General SHALIKASHVILI. An individual is entitled to obtain the advice of legal counsel as soon as he is detained, arrested or indicted. In the event an individual is unable to obtain counsel, the Japanese court will appoint one, at GOJ expense. However, as discussed below, counsel is not permitted to be present at interrogations of his client.

Senator NUNN. Are these rights affected by the SOFA?

General SHALIKASHVILI. No.

Senator NUNN. How is legal counsel selected?

General SHALIKASHVILI. U.S. Forces, Japan (USFJ) maintains a list of Japanese attorneys who have agreed to represent USFJ personnel criminal proceedings, and have been approved by the U.S. Embassy in Tokyo. This list is provided to an accused, who may directly contact the English speaking attorneys and ultimately choose one. Under Japanese criminal procedures, a suspect is not permitted to have counsel present during pre-indictment interrogations. Since virtually all of our FCJ cases in Japan involve confessions and negotiations by the command for waiver of jurisdiction, Japanese counsel is often not procured until GOJ actually indicts. In cases such as the current one, where it is relatively clear GOJ intends to indict, and appointment of counsel would benefit the suspects, counsel may be provided prior to indictment.

Senator NUNN. Do the suspects have Japanese defense counsels?

General SHALIKASHVILI. The three suspects have chosen attorneys from the above list and the Marine Corps is currently negotiating contractual arrangements with them. In about a week they should have civilian legal representation. The Marine Corps is handling the Navy service member because he is assigned to III MEF.

Senator NUNN. Are civilian counsel being paid by the USG?

General SHALIKASHVILI. Yes, the Marine Corps is paying for them.

Senator NUNN. Was/Is Japanese counsel present at any/all interviews?

General SHALIKASHVILI. As indicated above, counsel is not permitted at interviews.

Senator NUNN. Are there other rights in the Japanese criminal process?

General SHALIKASHVILI. (a) A member of the U.S. armed forces in Japan has all of the rights that are guaranteed under the laws of Japan to all persons on trial in Japanese courts (Agreed Minutes to Article XVII of the United States-Japan SOFA). Those rights include but are not limited to the following, which are guaranteed under the Japanese Constitution.

1. Not to be detained or arrested without being told the charge against him, or without the immediate privilege of counsel;
2. Not to be detained without adequate cause; and upon demand to have such cause shown in open court, in his presence and in the presence of his counsel;
3. A public trial by impartial tribunal;
4. Not to be compelled to testify against himself;
5. Full opportunity to examine all witnesses; and
6. No cruel punishments.

(b) United States authorities have the right to have access at any time to USFJ personnel who are confined or detained under Japanese authority.

[The nomination reference of Gen. John M. Shalikashvili, USA, follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 30, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

The following named officer under the provisions of Title 10, U.S.C. Sec. 152, for reappointment as Chairman of the Joint Chiefs of Staff and reappointment to the grade of general while serving in that position under the provisions of Title 10, U.S.C., Sec. 601(a):

Chairman of the Joint Chiefs of Staff

To be General

Gen. John M. Shalikashvili, 331-30-8495, United States Army.

[The biographical sketch of Gen. John M. Shalikashvili, USA, which was transmitted to the committee at the time the nomination was referred, follows:]

RÉSUMÉ OF SERVICE CAREER OF JOHN MALCHASE DAVID SHALIKASHVILI, GENERAL

Date of place of birth: 27 June 1936, Warsaw, Poland.

Years of active commissioned service: Over 36.

Present assignment: Chairman of the Joint Chiefs of Staff, The Joint Staff, Washington, DC 20318-9999, since October 1993.

Military Schools Attended:

The Field Artillery School—Advanced Course.

Naval Command and Staff College.

United States Army War College.

Educational Degrees:

Bradley University—BS Degree—Mechanical Engineering.

George Washington University—MS Degree—International Relations.

Foreign Language(s): German, Polish, Russian.

MAJOR DUTY ASSIGNMENTS

Assignment	From	To
Enlisted service	Aug 58	Jul 59
Forward Observer, later Platoon Commander, Mortar Battery (105 mm), 1st Brigade, 9th Infantry, United States Army, Alaska	Jul 59	May 60
Forward Observer, Headquarters Battery, later Assistant Executive Officer, Battery B, 2d Howitzer Battalion, 15th Artillery, United States Army, Alaska	May 60	Feb 61
Instructor, Air Defense Artillery, later Guided Missile, and later Senior Instructor, Administration and Operations Branch, High Altitude Missile Department, Academic Organization, United States Army Air Defense School, Fort Bliss, Texas	Feb 61	Apr 63
Student, Artillery Officer Advanced Course, United States Army Air Defense School, Fort Bliss, Texas	May 63	Dec 63
Staff Officer, Plans and Operations Division, G-3 (Operations), United States Army Air Defense Center, Fort Bliss, Texas	Dec 63	Dec 64
Assistant Information Officer, 32d Artillery Brigade, United States Army Europe, Germany ..	Feb 65	May 65
Operations Officer, 32d Army Air Defense Command, United States Army Europe, Germany ..	May 65	Dec 66
Commander, Headquarters and Headquarters Battery, 32d Army Air Defense Command, United States Army Europe, Germany	Dec 66	Jul 67
Operations Officer, 32d Army Air Defense Command, United States Army Europe, Germany ..	Jul 67	Jan 68
Senior District Advisor, Advisory Team 19, United States Military Assistance Command, Vietnam	Jan 68	Jun 69
Student, Naval War College, Newport, Rhode Island	Aug 69	Jun 70
Executive Officer, 2d Battalion, 18th Field Artillery, 212th Field Artillery Group Fort Lewis, Washington	Jun 70	Jun 71
Operations Officer, Current Operations, Office of the Assistant Chief of Staff, J-3, United Nations Command/United States Forces Korea	Jun 71	Sep 72

MAJOR DUTY ASSIGNMENTS—Continued

Assignment	From	To
Assignment Officer, later Personnel Management Officer, Field Artillery Branch, and later Chief, Assignment Branch, Lieutenant Colonels Division, Officer Personnel Management Directorate, United States Army Military Personnel Center, Alexandria, Virginia	Sep 72	Jul 75
Assistant Fire Support Coordinator, Division Artillery, 9th Infantry Division, Fort Lewis, Washington	Jul 75	Dec 75
Commander, 1st Battalion, 84th Field Artillery, 9th Infantry Division, Fort Lewis, Washington	Dec 75	Jun 77
Student, United States Army War College, Carlisle Barracks, Pennsylvania	Jun 77	Jun 78
Assistant Chief of Staff, G-3 (Operations), United States Army Southern European Task Force	Jun 78	Jun 79
Commander, Division Artillery, 1st Armored Division, United States Army Europe, Germany	Jun 79	Aug 81
Chief, Politico-Military Division, later Deputy Director, Strategy, Plans, and Policy Directorate, Office, Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC	Sep 81	Aug 84
Assistant Division Commander, 1st Armored Division, United States Army Europe, Germany	Aug 84	Jul 86
Assistant Deputy Chief of Staff for Operations and Plans, (Joint Affairs)/Director of Strategy, Plans and Policy, Office, Deputy Chief of Staff for Operations and Plans, United States Army, Washington, DC	Jul 86	Jun 87
Commanding General, 9th Infantry Division, Fort Lewis, Washington	Jun 87	Aug 89
Deputy Commander-in-Chief, United States Army Europe and Seventh Army, Germany	Sep 89	Aug 91
Assistant to the Chairman, Joint Chiefs of Staff, The Joint Staff, Washington, DC	Aug 91	Jun 92
Supreme Allied Commander, Europe, Supreme Headquarters, Allied Powers Europe/Commander in Chief, United States European Command, Belgium	Jun 92	Oct 93

Promotions	Dates of appointment	
	Temporary	Permanent
2LT		7 Jul 59
1LT	7 Jan 61	7 Jul 62
CPT	8 Jul 63	7 Jul 66
MAJ	23 Aug 67	7 Jul 73
LTC	12 May 74	7 Jul 80
COL	6 Dec 78	6 Dec 78
BG		1 Aug 83
MG		1 Sep 86
LTG	1 Oct 89	
GEN	24 Jun 92	

U.S. DECORATIONS AND BADGES

Defense Distinguished Service Medal (with 2 Oak Leaf Clusters).

Distinguished Service Medal.

Legion of Merit (with 2 Oak Leaf Clusters).

Bronze star Medal with "V" Device.

Meritorious Service Medal (with 3 Oak Leaf Clusters).

Air Medal.

Joint Service Commendation Medal.

Army Commendation Medal.

Combat Infantryman Badge.

Parachutist Badge.

Joint Chiefs of Staff Identification Badge.

Army Staff Identification Badge.

Source of Commission: OCS

SUMMARY OF JOINT ASSIGNMENTS

Assignment	Dates	Grade
Senior District Advisor, Advisory Team 19, United States Military Assistance command, Vietnam.	Jan 68–Jun 69	Major
Operations Officer, Current Operations, Office of the Assistant Chief of Staff, J-3, United Nations Command/United States Forces, Korea.	Jun 71–Sep 72	Major

SUMMARY OF JOINT ASSIGNMENTS—Continued

Assignment	Dates	Grade
Assistant to the Chairman, Joint Chiefs of Staff, The Joint Staff, Washington, DC.	Aug 91–Jun 92 (No joint duty credit).	Lieutenant General
Supreme Allied Commander, Europe, Supreme Headquarters Allied Powers Europe/Commander in Chief, United States European Command.	Jun 92–Oct 93	General
Chairman of the Joint Chiefs of Staff, The Joint Staff Washington, DC .	Oct 93–Present	General

[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Gen. John M. Shalikashvili, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
John M. Shalikashvili.

2. **Position to which nominated:**
Chairman of the Joint Chiefs of Staff.

3. **Date of nomination:**
September 3, 1993 (original) June 29, 1995 (renomination).

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
June 1936/Warsaw, Poland.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to the former Joan E. Zimpelman.

7. **Names and ages of children:**
Brant A. Shalikashvili, age 23.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corpora-

tion, company, firm, partnership, or other business enterprise, educational or other institution.

None.

10. **Memberships:** List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Association of the U.S. Army.

Field Artillery Association.

Retired Officers Association.

11. **Honors and awards:** List all memberships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

In addition to those military awards listed on the previously submitted service record extract, I have been awarded the French National Order of Merit (Grand Officer).

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

[The nominee responded to the questions in Parts B–E of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B–E are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

GEN. JOHN M. SHALIKASHVILI.

This 18th day of August 1995.

[The nomination of Gen. John M. Shalikashvili, USA, was reported to the Senate by Senator Strom Thurmond on September 26, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 29, 1995.]

TO VOTE ON THE NOMINATION OF JOHN T. CONWAY TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD AND CERTAIN PENDING MILITARY NOMINATIONS

THURSDAY, SEPTEMBER 21, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:15 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, Cohen, McCain, Coats, Kempthorne, Hutchison, Nunn, Exon, Levin, and Lieberman.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Melinda K. Koutsoumpas, chief clerk; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; and Ann M. Mittermeyer, assistant counsel.

Professional staff members present: Charles S. Abell, Romie L. Brownlee, Jonathan L. Etherton, Lawrence J. Lanzillotta, Cord A. Sterling, and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director, and Richard D. DeBobes, counsel.

Staff assistant present: Deasy Wagner.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; James M. Bodner, assistant to Senator Cohen; Ann E. Sauer, assistant to Senator McCain; Samuel D. Adcock, assistant to Senator Lott; Richard F. Schwab and David J. Gribbin, assistants to Senator Coats; Thomas L. Lankford, assistant to Senator Smith; Glen E. Tait, assistant to Senator Kempthorne; Dave Davis, assistant to Senator Hutchison; John F. Luddy II, assistant to Senator Inhofe; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Suzanne M. McKenna, assistant to Senator Glenn; William Owens, assistant to Senator Robb; and John F. Lilley, assistant to Senator Lieberman.

Chairman THURMOND. I would like for the committee to consider the nomination of John T. Conway to be a member of the Defense Nuclear Facilities Safety Board. This is a reappointment and we have received and reviewed all the required paperwork.

If there is no further discussion, do I hear a motion to favorably report the Conway nomination?

Senator LEVIN. So moved.

Senator COATS. Second.

Chairman THURMOND. All in favor, say aye.

[A chorus of ayes.]

Chairman THURMOND. All opposed, no.

[No response.]

Chairman THURMOND. The ayes have it and he is approved.

Now, we also are ready to consider 2,421 pending military nominations that appear on the list passed out to each member. These nominations have been before the committee the required length of time and no objection has been raised.

Is there a motion to favorably report 2,421 military nominations?

Senator LIEBERMAN. So moved.

Chairman THURMOND. Is there a second?

Senator WARNER. Second.

Chairman THURMOND. All in favor, say aye.

[A chorus of ayes.]

Chairman THURMOND. All opposed, no.

[No response.]

Chairman THURMOND. The ayes have it and these nominations are approved.

Senator HUTCHISON. Mr. Chairman, could I just ask one question about the nominations we just approved? Was there anyone on this list that was controversial or anything that we should be looking at in any of these?

Chairman THURMOND. We do not know of any that are controversial.

Senator HUTCHISON. Thank you.

[The list of nominations considered and approved by the committee follows:]

MILITARY NOMINATIONS WHICH HAVE BEEN PENDING WITH THE SENATE ARMED SERVICES COMMITTEE THE REQUIRED LENGTH OF TIME AND WHICH ARE PROPOSED FOR THE COMMITTEE'S CONSIDERATION ON SEPT. 21, 1995.

1. In the Navy there are 2 promotions to the grade of rear admiral (list begins with Ralph Melvin Mitchell, Jr.) (Reference No. 97).

2. In the Naval Reserve there are 10 promotions to the grade of rear admiral (lower half) (list begins with Kenneth Peter Barausky) (Reference No. 165)

3. In the Navy there are 2 promotions to the grade of rear admiral (list begins with Barton D. Strong) (Reference No. 249)

4. Rear Admiral (lower half) S. Todd Fisher, USN to be rear admiral (Reference No. 526)

5. Colonel William J. Dendinger, USAF to be brigadier general (Reference No. 531)

6. In the Army there are 2 promotions to the grade of lieutenant colonel and below (list begins with John D. Pitcher) (Reference No. 534)

7. In the Navy there are 4 appointments to the grade of ensign (list begins with Kyujin J. Choi) (Reference No. 535)

8. In the Air Force Reserve there are 29 promotions to the grade of lieutenant colonel (list begins with Von S. Bashay) (Reference No. 538)

9. In the Navy there are 11 appointments to the grade of ensign (list begins with Scott A. Avery) (Reference No. 539)

10. In the Marine Corps there are 7 appointments to the grade of second lieutenant (list begins with Bradley J. Harms) (Reference No. 540)

11. In the Marine Corps Reserve there are 35 promotions to the grade of colonel (list begins with Charles H. Allen) (Reference No. 541)

12. In the Naval Reserve there are 159 promotions to the grade of captain (list begins with Glenn M. Amundson) (Reference No. 542)

13. In the Naval Reserve there are 411 promotions to the grade of commander (list begins with Richard J. Alioto) (Reference No. 543)

14. In the Marine Corps Reserve there are 166 promotions to the grade of lieutenant colonel (list begins with Douglas E. Akers) (Reference No. 544)

15. Major General Jefferson D. Howell, Jr., USMC to be lieutenant general (Reference No. 561)

16. In the Army Reserve there are 9 promotions to the grade of colonel and below (list begins with Gerhard Braun) (Reference No. 562)

17. In the Army Reserve there are 36 promotions to the grade of colonel and below (list begins with John A. Belzer) (Reference No. 563)

18. In the Army Reserve there are 23 promotions to the grade of colonel and below (list begins with Robert Bellhouse) (Reference No. 564)

19. In the Army Reserve there are 34 promotions to the grade of colonel and below (list begins with Terry C. Amos) (Reference No. 565)

20. In the Naval Reserve there are 777 promotions to the grade of commander (list begins with Andrew W. Acevedo) (Reference No. 566)

21. In the Army there are 410 promotions to the grade of major (list begins with Jeffrey S. Almony) (Reference No. 567)

22. Admiral William O. Studeman, USN to be placed on the retired list in the grade of admiral (Reference No. 568)

23. Vice Admiral Norman W. Ray, USN to be placed on the retired list in the grade of vice admiral (Reference No. 569)

24. In the Army Reserve there are 35 promotions to the grade of colonel and below (list begins with David G. Barton) (Reference No. 580)

25. In the Air Force Reserve there are 9 promotions to the grade of lieutenant colonel (list begins with Michael D. Bouwman) (Reference No. 606)

26. In the Air Force Reserve there are 20 promotions to the grade of lieutenant colonel (list begins with Gary L. Ebben) (Reference No. 607)

27. Colonel Michael L. Jones, USA for appointment as Director of Admissions at the United States Military Academy (Reference No. 608)

28. In the Army Reserve there are 44 promotions to the grade of colonel and below (list begins with Gerard H. Barloco) (Reference No. 609)

29. In the Navy there are 5 appointments to the grade of ensign (list begins with Jeremy L. Hilton) (Reference No. 610)

30. In the Air Force Reserve there are 21 appointments to the grade of colonel and below (list begins with Maria A. Berg) (Reference No. 619)

31. In the Army there are 3 promotions to the grade of lieutenant colonel and below (list begins with Lillian A. Foerster) (Reference No. 620)

32. In the Navy and Naval Reserve there are 10 appointments to the grade of commander and below (list begins with Gary E. Sharp) (Reference No. 621)

33. In the Air Force there are 140 appointments to the grade of second lieutenant (list begins with Mark B. Allen) (Reference No. 622)

34. Rear Admiral (lower half) David J. Nash, USN to be rear admiral (Reference No. 627)

Total: 2,421.

[The nomination reference of John T. Conway follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
June 21, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

John T. Conway, of New York, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 1999. (Reappointment)

[The biographical sketch of John T. Conway, which was transmitted to the committee at the time the nomination was referred follows:]

BIOGRAPHICAL SKETCH OF JOHN T. CONWAY

John T. Conway, an engineer and attorney, is Chairman of the Defense Nuclear Facilities Safety Board. His nuclear experience includes 12 years on the staff of the Joint Committee on Atomic Energy, U.S. Congress (6 years as Staff Director), 11 years as President/Chairman of the Board of the American Nuclear Energy Council,

and 8 years as Chairman of the Con Edison Indian Point Nuclear Facilities Safety Committee. Following is a brief résumé:

Oct. 1989–present	Defense Nuclear Facilities Safety Board, Chairman
1982–1989	Consolidated Edison Company, Executive Vice President
1982–1989	American Nuclear Energy Council (ANEC), Chairman
1978–1982	American Nuclear Energy Council (ANEC), President and Chief Executive Officer
1968–1978	Consolidated Edison Company, Executive Assistant to Charles F. Luce, Chairman of the Board (1970–78, duties included Chairman, Nuclear Facilities Safety Committee)
1956–1968	United States Congress, Staff, Joint Committee on Atomic Energy (1958–62, Assistant Staff Director, 1962–68, Executive Director)
1950–1956	Federal Bureau of Investigation, Department of Justice, Special Agent—served in Kentucky, New York, Washington, D.C.
1949–1950	Meighan & Necarlsomer Law Firm, Associate
Education	Columbia University School of Law, LLB, 1949 (converted to Juris Doctor, 1969) Tufts University, BS Engineering, 1947
Military Service	U.S. Navy, active duty February 4, 1943 to September 1946; Saw service in North Atlantic, USPC781, Discharged Lt.(j.g.)
Professional Memberships ...	Admitted to New York Bar, 1949, and Supreme Court of the United States, 1953
Awards	Grand Council of Hispanic Societies in Public Service Humanitarian Award The James and Jane Hoy Award for Interracial Justice

June 1995

[The nomination of John T. Conway was reported to the Senate by Senator Strom Thurmond on September 21, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 29, 1995.]

[Whereupon, at 10:20 a.m., the hearing was concluded.]

NOMINATION OF JOHN W. DOUGLASS TO BE ASSISTANT SECRETARY OF THE NAVY FOR RESEARCH, DEVELOPMENT, AND ACQUISITION

FRIDAY, SEPTEMBER 29, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:00 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Kempthorne, Nunn, Bingaman, Robb, and Lieberman.

Armed Services Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Marie Fabrizio Dickinson, deputy chief clerk; Donald A. Deline, general counsel; Ann M. Mittermeyer, assistant counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Gregory J. D'Alessio, Stephen L. Madey, Jr., Steven C. Saulnier, Cord A. Sterling, and Eric H. Thoemmes.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard E. Combs, Jr., Creighton Greene, Patrick T. Henry, Michael J. McCord, Frank Norton, and Julie K. Rief.

Staff assistants present: Pamela L. Farrell, Connie B. Rader, Jason Rossbach, Deasy Wagner, and Shawn Edwards.

Committee members' assistants present: Richard F. Schwab, assistant to Senator Coats; Glen E. Tait, assistant to Senator Kempthorne; Dave Davis, assistant to Senator Hutchison; Richard W. Fieldhouse and David A. Lewis, assistants to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; Edward McGaffigan, Jr., assistant to Senator Bingaman; Suzanne M. McKenna, assistant to Senator Glenn; and William Owens, assistant to Senator Robb.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

Welcome, General Douglass, to the Senate Armed Services Committee. I know how intimidating it must be for you to appear before this committee. [Laughter.]

So, I would like to put you at ease. All the Senators on this committee are very nice and polite. It is the staff of the committee that causes the problems. [Laughter.]

Would you agree with me, Mr. Douglass?

Mr. DOUGLASS. Yes, sir. [Laughter.]

Chairman THURMOND. It is a pleasure to see you before this committee. You have appeared at that table many times over the past 3 years and given all of us excellent advice on a wide range of topics. It did not matter to you whether you were addressing the questions of Democrats or Republicans. Your answers were always fair, accurate, complete, and informative. If you are confirmed, we will all miss your help on the committee, but we will look forward to the same frank and candid answers to our questions concerning your position.

Before we go any further, I would like to recognize some people who are very important to you and therefore very important to us. First of all, your wife Susan is with us today. I understand you are both looking forward to the birth of a child soon, and I hope you will inform us when that happens.

Would you raise your hand, Susan, so that everyone can see where you are? We hope the baby comes fine.

Also with John today is his daughter Laura. Would you raise your hand as well, Laura?

There is one other person that I am aware is here today with John. That is his niece Amy, if you will raise your hand. It is good to have all of you with us.

John, are there any other guests that you would like to introduce?

Mr. DOUGLASS. Yes, sir. We have a good friend of our family, my daughter's friend, Carlos Villanueva, sir, who is here this morning.

Chairman THURMOND. Glad to have you.

The position for which the President has asked the Senate to confirm you is an extremely important one. It involves the future of the Navy and ultimately the effectiveness and safety of our men and women in uniform.

I believe your past has prepared you well for this position. I note that you have a bachelors degree in industrial engineering and two masters degrees, one in management science and one in industrial engineering. You have been a Special Assistant to the Under Secretary of Defense for Acquisition and the Director of National Security Programs for the National Security Council in the White House. I note also that you have been the Director of Science and Technology, as well as the Director of Plans and Policy, for the Secretary of the Air Force. You also managed to rise to the level of Brigadier General before retiring from the Air Force. I cannot think of a better background for the position for which you have been nominated.

Others on the committee want to ask you some questions, and I believe Senator Nunn will want to make some opening remarks, so I will conclude my opening remarks.

It is a pleasure to have you appear formally today and I look forward to your opening remarks. Senator Nunn.

Senator NUNN. Thank you very much, Mr. Chairman, and thank you for having this hearing for one of our outstanding staff mem-

bers. I would like to join you in welcoming John Douglass and his lovely wife Susan and their family and friends this morning.

John, I really was not surprised when I heard that another top staff person of mine had been chosen to serve at a high level in the Clinton administration. I completely understand why they picked you. But in all honesty, I keep hoping that one of these days they will get around to choosing Arnold Punaro. [Laughter.]

Although I am delighted the President nominated John to be an Assistant Secretary of the Navy, it is bittersweet for me. John has been a key member of this committee staff since 1992. All of us have turned to him when we were faced with difficult issues both in foreign policy matters, as well as in acquisition, technology and development matters. He will be sorely missed in my office and around the committee by all of us.

Susan, I am really glad you could be here with John on this important day. I join Strom in congratulating you two on the arrival of your first child in February. Strom, I do not know how true it is, but I have told John he cannot leave the committee until the conference is over. I understand that he and Susan have agreed, if we finish the conference before the baby is born, to name the baby Strom. [Laughter.]

Seriously, I know you are both excited about your news to come, and we will follow that with great interest, as we will your career.

As Senator Thurmond mentioned, John is a former brigadier general. He joined the committee staff after a very successful career in the Air Force. He has served with the National Security Council in the White House, with the Secretary of Defense, and with the Chairman of the Joint Chiefs of Staff. His final position on active duty was as our Deputy Military Representative to NATO where he did excellent work and where I still benefit, as all of us do, from his experience there. These experiences, when added to the work he has done on the Armed Services Committee, make him exceptionally well-qualified for the position of Assistant Secretary of Navy for Research, Development, and Acquisition.

These are challenging but exciting times for our military and for those civilian officials chosen to provide direction and oversight to the Department's many programs. I believe the Department of the Navy is very fortunate to have John as the nominee for this important position. I am confident that, when confirmed, he will continue to serve this Nation in an outstanding manner. So, I look forward to continuing to work with John in his new, important position.

Thank you, Mr. Chairman.

Chairman THURMOND. Does the distinguished Senator from Virginia have any opening remarks?

Senator ROBB. Mr. Chairman, thank you. Very briefly, I know that a vote is on and that we are already into five bells.

I am here to represent the neighborhood from which John Douglass currently operates.

First, let me begin by saying in response to the ranking member and former chairman, I think I have some insight into why Arnold Punaro has not yet been asked. It has to do with the neighborhood watch. He has been noted on the sidelines of all of the girls' field hockey and soccer games in McLean and the reports are such that he gets so emotionally involved that they did not think they could

possibly tear him away to serve in any executive branch that might not give him the same flexibility of scheduling that he has here. [Laughter.]

With respect to John Douglass, let me just say that if ever I had seen a nominee who appeared to be a round peg for a round hole, John Douglass is it. I cannot think of a background that would better suit the job to which the President has nominated him. I am very pleased to tell you that on the basis of the neighborhood check, that we tried and tried to turn up something that would be adverse to his nomination. We were unsuccessful in doing so. So, Mr. Chairman, it is with great pleasure that I wholeheartedly endorse your recommendation and the recommendation of the distinguished ranking member to have John Douglass confirmed for this position.

I know that a vote is on, so I will cease at this point and yield back any time.

Chairman THURMOND. The 5-minute bell has rung. We will have to take a recess now and go and vote.

[Recess.]

Chairman THURMOND. The committee will come to order.

General Douglass, did you care to make an opening statement?

STATEMENT OF JOHN W. DOUGLASS, TO BE ASSISTANT SECRETARY OF THE NAVY FOR RESEARCH, DEVELOPMENT, AND ACQUISITION

Mr. DOUGLASS. Thank you, Mr. Chairman. I do have a short opening statement. With your permission, sir, I would like to summarize it and enter my prepared statement into the record in its entirety.

Mr. Chairman, I want to begin this morning by saying that over the past 3½ years, on many occasions, I have been the staff person who organized confirmation hearings like the one you are having for me today. As a staff person I took these hearings very seriously. I have always been mindful of the responsibilities entrusted to this committee to ensure that those who serve in the key positions within the Department of Defense and the military departments are qualified and acceptable to the Congress. This is a serious responsibility and one that I am even more mindful of as I appear before you today as President Clinton's nominee to be Assistant Secretary of the Navy for Research, Development, and Acquisition. I am honored, sir, to be here today.

I believe it is appropriate, Mr. Chairman, for me to begin by thanking President Clinton and Secretary Dalton for my nomination to this position. I am also grateful to Secretary Perry and Under Secretary Kaminski who have been so supportive over the years in numerous ways. Both Dr. Perry and Dr. Kaminski have been my personal friends for the past 15 years, and I owe them a lot.

I also owe much to Under Secretary of the Navy Danzig and to the many men and women of the Navy staff who have helped me prepare for this hearing. A couple of nights ago, sir, those people on the staff stayed up almost all night to help prepare me and to answer the committee's written questions.

I also owe a special thank you to someone who is not here today. That person is Chief Petty Officer Douglass, my dad, who died this summer. He brought me up as a Navy brat. He taught me to respect and love all that public service entails, and I wish he could have lived to be here today. He knew that I was a potential nominee and he was very proud of that fact, sir, and wherever he is today, I know that he is here with us in spirit.

Mr. Chairman, on New Years Day 1990, the first day of this decade, I was in Berlin, Germany. As America's number two General at NATO headquarters in Brussels, I knew the new era was beginning, but what none of us knew then was how fast that era would be upon us. That snowy day, in that still divided city, with its wall coming down will always be a living memory for me of the beginning of this decade and of the era we are now in.

We are now more than 5 years into this decade and into this new era, and we still define our times by where we used to be. We call the times we live in the "Post Cold War Era." We have not yet found a name for the present time or the new times we live in today. To me, this is symbolic of the tremendous challenge that we face as we try to craft the best defense program we can for this uncertain future. Five years ago few of us would have predicted the situations which arose in Somalia, Haiti, and Rwanda, or the situation we now face in the former Yugoslavia.

The weapons we have used in these new challenges were designed long ago in the midst of the Cold War. In those days, we designed weapons in what we called "threat-driven models." We always began our new programs by trying to determine where the Soviet Union would be with their similar programs some years into the future. Our weapons were then designed to be better and deployed sooner than their Soviet counterparts. Today our challenge for designing the weapons of tomorrow are far more complex.

Because so much is changed, it should come as no surprise that we are at the lowest level of research and development and acquisition funding our Nation has seen since the 1930s. In a grand sort of way, we have paused, caught our breath, and must now move into this new and uncertain future.

The position to which I have been nominated will place me, if I am confirmed, in the midst of preparing the Navy and the Marine Corps for the future. Major decisions must be made on surface and submarine shipbuilding, aircraft programs, directions for future technology, Navy space programs, acquisition reform, new programs for our Marines, especially fire support and mobility programs, significant reductions in acquisition infrastructure, new approaches to maintenance, and a host of other issues that will shape the naval service of the future. All of these decisions must be made in an uncertain world and in an environment that is likely to involve reduced defense expenditures. Mr. Chairman, this is an enormous challenge and one that I take very seriously.

The good news, Mr. Chairman, is that, if confirmed, I will be joining an excellent management team. The Navy and the Marine Corps acquisition team is streamlined and well-trained. It is the closest acquisition system that I am aware of to what this committee envisioned over 10 years ago when it approved the Goldwater-Nichols and Packard Commission legislation of the mid-1980s. I

served on the Packard Commission as President Reagan's representative to that Commission. I am aware of that vision and this committee's vision for the future and I think the Navy is well on its way to fulfilling that vision.

Secretary Dalton has ensured that the reforms this committee envisioned have been implemented, and he has put in place an excellent management team. I am especially impressed by Admiral Bill Bowes who is the Principal Deputy Assistant Secretary of the Navy and by the Program Executive Officers, Direct Reporting Managers, and the Commanders of the Naval Systems Commands who briefed me to date.

The bad news, Mr. Chairman, is that by concentrating on readiness these past few years, we are starting to fall behind on modernization. We must make major new investments in almost every part of the Department of the Navy inventory in the years ahead or risk finding ourselves with obsolete and dangerous equipment. There has been a revolution in aircraft design in the past 15 years. This committee has been in the forefront of exploiting that revolution. Nationally we are working on our fourth generation of stealth airplanes, yet the Department of the Navy has none. The F/A-18 E/F is an excellent step towards the Navy's long-term needs, but the Navy will need a new first-day survivable strike aircraft in the future.

Mr. Chairman, I believe in air power. I think if you were to look at the various crises we have had over the past years, the first thing our command authorities do is start a carrier and a naval task force moving toward that crisis. I am dedicated to making sure that our young aviators of the future have a survivable airplane.

Our shipbuilding program is not enough to support our ship retirement plan and still keep the fleet size we need. Our Marines need the V-22 and the new Advanced Amphibious Assault Vehicle. We also need to do more to ensure we can support our Marines ashore with new and better naval surface fire support.

My challenge, if I am confirmed, will be to aggressively pursue these modernization programs with clear and precise management and in close cooperation with the Operational Commanders of the Navy and the Marine Corps.

I might add, Mr. Chairman, that I am encouraged that the Navy and the Marine Corps are looking more and more towards managing acquisition through a life cycle approach to management. I support this approach and I have plans to strengthen this thrust. Finally, I will also be challenged by the fact that our national defense industrial base is both shrinking and changing. We must do more to ensure that we can tap into the commercial industrial base to meet our future needs.

Mr. Chairman, I would be remiss if I did not close with a special thank you to you, sir. You went out of your way to call this hearing this morning and I am grateful to you and to the members of this committee and my colleagues on the staff. The past 3½ years have been a period of wonderful growth for me. When I retired from the military, I always said, "I am going to do what I want to do," and what I wanted to do was come work on this committee. I am grateful that I had that opportunity. I have worked with all the mem-

bers of our committee, but most closely with Senators Nunn and Bingaman. They have been supportive and inspirational and I owe them a special debt of thanks.

It is fashionable today, especially among the press, to criticize Congress. I do not agree with this trend. I come away from this period of my life with renewed faith in our system and the men and women who make it work.

In closing, Mr. Chairman, I want to thank the staff from both sides of the committee for all they have done to help me in these past 3½ years, especially Arnold Punaro, Dick Reynard, Andy Effron, Don Deline, and Jon Etherton. Arnold has been my commander, Andy has been my platoon leader, and Jon has been the best fellow soldier and friend a soldier could want to have in the trenches. Jon could not be here today because his brother-in-law is getting married, but he has been at my side every step of the way.

I leave the committee staff with pride in what we have all accomplished in the past years, Mr. Chairman, and I am ready to answer any questions you may have, sir.

[The prepared statement of Mr. Douglass follows:]

PREPARED STATEMENT OF JOHN W. DOUGLASS, NOMINEE FOR ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT AND ACQUISITION)

Thank you Mr. Chairman, and thank you Senator Robb for that fine introduction. As many of you know, over the past 4 years I have helped organize many hearings like this one today. In doing so, I was always mindful of the responsibilities entrusted to this committee to ensure that those who serve in the key positions within the Department of Defense and the military departments are qualified and acceptable to the Congress. This is a serious responsibility and one that I am even more mindful of, as I appear before you today as President Clinton's nominee to be Assistant Secretary of the Navy for Research, Development, and Acquisition. I am honored to be here today.

Mr. Chairman, with your permission I would like to request that my written statement be entered into the record and I will summarize it so that we can move on to any questions you have.

I believe it is appropriate, Mr. Chairman, for me to begin by thanking President Clinton and Secretary Dalton for nominating me for this position. I am also grateful to Secretary Perry and Under Secretary Kaminski who have been so supportive over the years in numerous ways. I also owe much to Under Secretary of the Navy Danzig and the many men and women of the Navy staff who have helped me prepare for this hearing. Finally, I owe special thanks to Chief Petty Officer Douglass, my father, who died this summer. He brought me up as a Navy brat, and taught me to respect and love all that public service entails. I wish he could have lived to be here today.

Mr. Chairman, on New Years day 1990, the first day of this decade, I was in Berlin Germany. As America's number two General at NATO headquarters in Brussels, I knew that a new era was beginning, but what none of us knew then was how fast that era would be upon us. That snowy day in that still divided city with its wall coming down will always be a living memory for me of the beginning of this decade and of the era we are now in.

We are now more than 5 years into this decade and into this new era, and we still define our times by where we used to be. We call the times we live in the "Post Cold War Era". We have not yet found a new name for the present. To me, this is symbolic of the tremendous challenge that we face as we try to craft the best defense program we can for the uncertain future. Five years ago few of us would have predicted the situations which arose in Somalia, Haiti, and Rwanda, or the situation we now face in the former Yugoslavia.

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Today, because so much has changed, it should come as no surprise that we are at the lowest level of research and development and acquisition funding our Nation has seen since the 1930s. In a grand sort of way we have paused, caught our breath, and must now move into this new and uncertain future.

The position to which I have been nominated will place me, if I am confirmed, in the midst of preparing the Navy and Marine Corps for the future. Major decisions must be made on surface and submarine shipbuilding, aircraft programs, directions for future technology, Navy space programs, acquisition reform, new programs for our marines, especially fire support and mobility programs, significant reductions in acquisition infrastructure, new approaches to maintenance, and a host of other issues that will shape the Navy service of the future. All of these decisions must be made in an uncertain world and in an environment that is likely to involve reduced defense expenditures. This is an enormous challenge.

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The bad news, Mr. Chairman, is that by concentrating on readiness these past few years we are starting to fall behind on modernization. We must make major new investments in almost every part of the Department of the Navy inventory in the years ahead or risk finding ourselves with obsolete and dangerous equipment. There has been a revolution in aircraft design in the past 15 years. Nationally we are working on our fourth generation of stealth airplanes, yet the Department of the Navy has none. The F-18 E/F is an excellent step toward the Navy's long term needs, but the Navy will need a new first day survivable strike aircraft. Our shipbuilding program is not enough to support our ship retirement plan and still keep the fleet size we need. Our marines need the V-22 and the new Advanced Amphibious Assault Vehicle. We also need to do more to ensure we can support our marines ashore with new and better naval surface fire support. My challenge, if confirmed, will be to pursue these modernization programs aggressively and with clear and precise management, and in close cooperation with the operational commanders of the Navy and Marine Corps. I might add, Mr. Chairman, that I am encouraged that the Navy and Marine Corps are looking more and more toward managing acquisition through a life cycle approach to management. I support this approach and have plans to strengthen this thrust. Finally, I will also be challenged by the fact that our national defense industrial base is both shrinking and changing. We must do more to ensure that we can tap into our commercial industrial base to meet our future needs.

Mr. Chairman I would be remiss if I did not close with a special thank you to you and to the members of this committee and to my colleagues on the staff. The past 3½ years have been a period of wonderful growth for me. I have worked with all of the members of our committee but most closely with Senators Nunn and Bingaman, who have been supportive and inspirational. I owe you all a lot. It is fashionable today to criticize the Congress. I do not agree with this trend. I come away from this period of my life with renewed faith in our system and the men and women who make it work.

In closing, Mr. Chairman, I want to thank the staff from both sides of our committee for all they have done to help me these past 3 years, especially Arnold Punaro, Dick Reynard, Andy Effron, Don Deline, and Jon Etherton. Arnold has been my commander, Andy my platoon leader, and Jon the best fellow soldier and friend a soldier could want to have.

I leave the committee staff with pride in what we have all accomplished these past years. I am ready to answer any questions you may have sir.

Chairman THURMOND. General Douglass, the Armed Services Committee has strongly supported Navy Theater Missile Defense Programs in this year's defense authorization bill. How do you rank the importance of these programs?

Mr. DOUGLASS. Sir, I rank those programs as extremely important. I sat in this room, Mr. Chairman, over 10 years ago when we began our initial hearings on the Star Wars program for missile de-

fense. I sat right there in that chair. Ten years ago we did not have the building blocks we needed for a missile defense. We have spent a lot of money over those 10 years. Now we do have those building blocks. The Navy needs a defense against ballistic missiles and I support what this committee has done in that regard, sir.

Chairman THURMOND. I will just ask one more question and then I will have to go and vote and come back.

General Douglass, for the last 3 years you have served ably as a member of the professional staff of this committee. Before that you served in a number of positions in which congressional liaison was a significant portion of your responsibilities.

If you are confirmed, what insights from these experiences will you try to apply in building an effective partnership with Congress?

Mr. DOUGLASS. Sir, the most important principle that I would emphasize is communication with this committee and with Congress in general. The executive branch needs to keep Congress fully informed as to what it is doing. My pledge to you, sir, is to do everything I can to work with the committee so that when we produce a budget, you know what it is and you know what we want. When you make your mark, we know what you want and we go do it, sir. Communication is number one in my mind.

Chairman THURMOND. Thank you very much. We will have to take a recess now.

Senator BINGAMAN, could you take over here until I get back? Have you voted?

Senator BINGAMAN. I just voted, Mr. Chairman.

I was just going to make a short statement in support of—

Chairman THURMOND. Well, you sit down and take over until I get back. [Laughter.]

Senator BINGAMAN. Did you want me to leave this open until you get back?

Chairman THURMOND. You go ahead and preside until I get back.

Senator BINGAMAN [presiding]. All right. Well, what if I close the hearing then? [Laughter.]

I am sorry I missed your statement. I come as a supporter, as you know. I think it is great that we are sending someone from the Air Force over to straighten out the Navy. [Laughter.]

Mr. DOUGLASS. You are preparing the way for me, sir. [Laughter.]

Senator BINGAMAN. I am sure they can use some straightening out.

Let me ask Senator Lieberman if there are any issues that he wanted to get into by way of questions. I could ask questions off and on here for quite a while, but I think I know your position on the various issues. Senator Lieberman may want to get into some of the issues.

Senator LIEBERMAN. Thank you, Mr. Chairman.

I am just working my way through my book. The first item here is sex and Hollywood. [Laughter.]

I do not think I will be asking John about that.

Mr. DOUGLASS. I know nothing, sir. [Laughter.]

Senator LIEBERMAN. Good. I think you are going to get confirmed if you know nothing about that.

Obviously, I want to join in what I presume was the praise of this nomination. It just continues the pattern of this committee staff being a kind of farm team for the Pentagon, and in this case I think we ought to stop for a moment and say it is a tribute to the quality of the staff here, generally on both sides and, of course, in this particular case to John. I have had the opportunity to work with him since I came to the committee. He is obviously experienced, informed, and occasionally even opinionated. [Laughter.]

Well, more than occasionally. He is a straight shooter who obviously cares about the national security and I just think will do a superb job.

If you would like me to ask a question or two, I will be pleased to.

John, the position for which you have been nominated will put you in charge of the Navy's shipbuilding programs. You have considerable experience with acquisition programs both classified and unclassified, but not with shipbuilding per se. Do you want to give us some background about whether there are approaches you have used in previous acquisition positions which you might apply in this new position and to what extent these approaches might be helpful to the Navy?

Mr. DOUGLASS. Thank you, Senator Lieberman.

I have had some experience in shipbuilding. As a young officer, I was a plant manager of a plant that built heavy pressure vessels and steam generators for the nuclear Navy some years ago. Sir, I am not an expert, however, on shipbuilding per se, but I have been briefed on the Navy's shipbuilding program and I do have some ideas.

One of the fundamental problems that we have today is that our national shipbuilding industrial base has gradually withered away until we are down to what I would consider to be a bare minimum for a nation that is of our size and so dependent on its maritime interests all over the world. So, one thing that you will find that I will strive very hard to do is to find ways to help our shipbuilding industry develop commercial business. I think there are some barriers, both legislative and other barriers, that the Navy can help bring down, and I will be dedicated to doing that.

I am going to go to all the shipyards. One of my first orders of business, sir, if confirmed, is to get out to those shipyards, to listen to the managers. One thing that I have already talked to Dr. Kaminski about is I want to look at how many Government people we have in those yards to see if there are ways we can streamline the relationship between the Government and industry to avoid red tape and things that might be cumbersome to our shipbuilders. I am going to do everything I can.

But the fundamental problem is that our industrial base is down now to a very minimum, and we need to do everything we can to protect what is left and try to find foreign military sales, commercial work, and other ways to broaden that national shipbuilding base, sir.

Senator LIEBERMAN. I appreciate that answer. I had not thought about that particular part of it, but there is no question, in terms of my interest in submarine building, that we have been prohibited from foreign military sales. It may still be a wise policy, but it at

least deserves a review because there clearly is a market out there and the question is whether we can meet the market without compromising any of our own security. If we can, it could be an invaluable asset in keeping Electric Boat particularly, but in a broader sense a whole host of shipyards open.

Let me ask you a general question. It has been my pleasure to work with you on issues of technology development as they relate to defense and national security needs. I think you are one of the real experts here which is why I think you will do so well and be so helpful over at the Pentagon. We particularly worked on fuel cells and other forms of power generation.

Do you have any general thoughts coming off of your experience here on the committee, particularly about technology development and the emphasis on new technologies, such as the fuel cells, within the Pentagon and particularly within the Navy?

Mr. DOUGLASS. Yes, sir, I do, to address the fuel cell issue narrowly and then become broader.

As you know, the fuel cell is a new technology for generating electrical power, about which we are just now beginning to realize the full potential. It has enormous potential for being a power source in small submarines and it is extremely quiet. If you compare the noise that a fuel cell system makes to the noise of other engine technologies there is no comparison at all.

One of the things that I know is of great concern to the Navy is that other nations are looking at this technology and could potentially produce small submarines that would be effective in littoral waters and that could run for a period of time on fuel cell power and be extremely quiet.

So, we have to look at fuel cells for a broad range of Navy equipment. I will be supportive of that technology, sir, and I think it has great potential.

In the broader sense of acquiring technology, what has happened in our adult lifetimes has been that the research base in the United States has transitioned from predominantly a research base based on Federal research to one based on commercial research. There is a curve that you could draw over the past 20 to 25 years that shows how Federal research, as a percentage of our national research base, has declined and how commercial research has increased.

This brings us many new challenges in being able to tap into that commercial research base and apply that technology to military weapons. There are many challenges in that area. Much of our commercial technology is available to everybody all over the world. These companies are multi-national companies. So we must be careful. What do we have to protect and what do we not have to protect.

Another problem that we have to find a solution to is rapid commercial technology changes. As we all know, automobile manufacturers change their designs every few years, as do computer manufacturers. I have heard that the life cycle for a new computer today is under 18 months. When we buy something in the military, we often keep it for years, not months. So we must figure out how are we going to support commercial systems that are, say, 10 years old

when they went out of the commercial market 7 or 8 years prior to that point.

These kinds of issues need to be faced squarely and I am going to do everything I can to try to "hitch-hike," if you will, on that commercial technology base to bring that technology into the Navy. We have some exciting new ways of contracting that have been fostered by this committee, and I tend to press the use of those as much as I can, sir.

Senator LIEBERMAN. Well, thank you for that answer. That was as informed as I knew it would be.

Again, this is a superb nomination. I wish you the best of everything. I am going to miss you here, but it is nice to know that you are not going too far away.

Mr. DOUGLASS. Thank you.

Senator LIEBERMAN. Thank you, Senator Nunn.

Senator NUNN [presiding]. Thank you. I just have a few questions.

I would just like to get a sense in sort of a one-two-three fashion of the top priorities that you believe you need to address when you take the position.

Mr. DOUGLASS. Sir, one of the first, of course, is acquisition reform. We have all been involved in that over these past few years and the Navy has made a good start on it. I have asked them to identify for me the top 15 or 20 initiatives that they think we should be concentrating on. I am going to pick the top 10, work with Colleen Preston in OSD, and really press hard to try to get some of those implemented.

Second, we have to do something over the long term to address the bow wave that we have in both shipbuilding and airplane requirements in the Navy. I am going to be looking very closely at those bow waves, Senator, and trying to find ways of getting the Navy up those bow waves that do not break the bank. That is going to be a very important second priority.

Third, I believe we need to think about how to bring innovation into the Navy of the future, especially in areas such as information warfare, the Navy's use of space, and the ability to exploit what is a revolution, an ongoing revolution, in information technology. I will be pressing on that very hard, Senator.

Senator NUNN. Just give me your general sense of it. I know it is going to take you some time to really study this in more depth, but in your general feeling intuitively, how much more can we streamline the Navy acquisition system? Have we a long way to go toward basically streamlining it, reducing the number of specifications, and all the people who enforce the specifications, buying more commercial and basically shedding some of the bureaucracy? How far down that streamline are we now?

Mr. DOUGLASS. It is a complex answer. In some ways the Navy is the most streamlined of the three services. Just to give you an example, my staff, if I am confirmed, as I understand it, is approximately 100 civilian and military professionals. It is somewhere between 100 and 110 professional people in the Assistant Secretary's office. In the other services, their staffs are much bigger than that, somewhere in the 300s, between 300 and 400. So, the Navy has streamlined at the top to a very large degree.

They have also, as you know, some years ago cut out some of their intermediate Commands, so that I will have an extremely broad span of control. That is one of the down sides of streamlining. The people at the top have a very broad span of control.

Down at the very bottom of the acquisition pyramid, you have a struggle with all these rules, regulations, adapting to commercial techniques, and so on. In my judgment, we still have a lot of work to do. That is the kind of streamlining of the procedures for getting to a contract, not necessarily a streamlining of the approvals of contracts. I think there is a lot of work to do there, Senator Nunn.

I have pledged to you to work with this committee to identify legislative barriers that could help in streamlining, but I think a lot just needs to be done in taking the authorities that have already been put in place by this committee and going out there and implementing them. This is an area where I am going to place a lot of emphasis. As you know, I have been a contracting officer, an engineer, and a deputy program manager. I am going to try to use those skills to implement what is already on the books.

Senator NUNN. There has been a considerable debate within the administration and also here on Capitol Hill regarding the need to provide DOD additional discretion to shift Government depot work to the private sector. Of course, you get into the ever-perplexing question of letting the public depots bid and how do you get it to an apple-and-apple comparison. What are your views in that area?

Mr. DOUGLASS. My views are that you have to take these on a case-by-case basis. I am speaking almost intuitively here because I have not had an opportunity to get out to the Navy depots. As you know, I have been around to all the Air Force depots in my previous career.

I am not sure there is a lot of money to be made in taking existing programs away from the depots and giving them to industry. I would have to look at that on a case-by-case basis to make that judgment, but in the new systems that are coming down the pike, sir, I think we need to be very careful about how we decide to support new weapons systems. With the extremely small numbers of things that we are going to be buying, we need to ask ourselves whether we can use the same people who built the system and the same tooling that built the system to act as a depot to maintain it. Now, in some cases I would expect that the answer to that to be yes, but in others, sir, I would expect the answer to be no. So, I do not think you can make just an off-the-cuff judgment.

Senator NUNN. One other question I would ask on the technology reinvestment program. I know you followed for us the appropriation mark on that. Where are we now in terms of the administration's request and what the appropriators came up with and what we have in our authorization conference?

Mr. DOUGLASS. We asked Dr. Kaminski, when he appeared before our committee, what was needed to finish the TRP program contracts that had already been let, and his answer was \$238 million. Of that amount, approximately \$40 to \$50 million is for the Small Business Innovative Research program.

The appropriators took out the money for the Small Business Innovative Research program and left in place \$195 million which is the core amount of money needed to finish TRP contracts in which

we have already made commitments. Our committee, as you know, is supporting that very strongly in conference. The House has not agreed to that yet, but my judgment is that if the President does not veto the appropriations bill, that number might be a compromised number that we could come out with in conference.

Senator NUNN. Senator Lieberman, do you have any other questions?

Senator LIEBERMAN. I do not, Mr. Chairman.

Senator NUNN. John, you have done a terrific job for us. We hate to lose you. You are absolutely honest and honorable. You are thoroughly professional. You know what you are talking about. You are careful. You are analytical. You are prudent. We will really miss you. We know that you are going to an important role in the Department of the Navy and we look forward to working with you in that role and wish you the best.

I do not have any other questions at this point.

Senator Thurmond would like for me to announce on his behalf that he has arranged a briefing for members and appropriately cleared staff to discuss the status of the Bosnian peace agreement and potential use of U.S. military forces in an implementation force. The briefers will include John White, Deputy Secretary of Defense; Admiral William Owens of the Joint Staff; and a representative of the Department of State. The briefing will be conducted this afternoon at 2:30 p.m. in room SR-222. I assume based on this that it would be a closed session this afternoon. So, I will make that announcement on behalf of Senator Thurmond.

Is there any other business?

Mr. DOUGLASS. Mr. Chairman, you were not here when I provided my verbal statement, and I just wanted to tell you personally, sir, how much I have appreciated working with you. It has been an honor and a privilege. I have worked most closely with you and Senator Bingaman, who have been my full committee and subcommittee bosses, and, sir, it has been a wonderful 3½ years. I owe you a great debt and it has been an honor to work with you, sir.

Senator NUNN. Well, we appreciate it, and we hate to lose you. It is not too late yet to change your mind. [Laughter.]

Susan, good luck to you and the whole family. Thanks for being here. Thank you, John.

[Whereupon, at 10:59 a.m., the committee was adjourned.]

[Prepared questions submitted to John Douglass by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than 6 years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. I am reminded that Admiral Crowe commented after enactment of the legislation that it would take approximately 6 years for full implementation.

- (1) Do you support full implementation of these defense reforms?
- (2) What do you consider to be the most positive accomplishments of the legislation?
- (3) What is your view of the extent to which these defense reforms have been implemented thus far?
- (4) Do you have any plans for further action to ensure fuller implementation of these defense reforms with respect to acquisition matters?

Answer. I fully support the implementation of the reforms of the Goldwater-Nichols Reorganization Act. As you know, Mr. Chairman, I was President Reagan's representative to the Packard Commission. The major accomplishment of the Packard Commission was the creation of acquisition executives in the military departments and the streamlining of the acquisition management structure to create direct lines of authority and clear accountability. Another significant change resulting from that legislation was the structural change in the operations "chain-of-command."

While many of these reforms have been implemented, there is still room for improvement, largely by fine-tuning the initial arrangements.

For example, while the Packard Commission supported clear lines of authority for acquisition, I believe it is important that we not isolate the process of generating requirements from developing the corresponding acquisition programs. Because it is crucial to match requirements with both resources and technological possibilities, if confirmed, I will work to enhance the dialogue between these two elements of the process.

The initiatives cannot be pursued in isolation from the larger Department of Defense framework, and if confirmed, I will work closely with Secretary Dalton, Dr. Perry and Dr. Kaminski to improve the acquisition process.

Question. The recommendations of the Packard Commission and the Defense Management Report resulted in the revision of numerous Department of Defense Directives and policies related to the acquisition process.

(1) Please describe the acquisition reforms recommended by the Packard Commission and the Defense Management Report (DMR) with which you agree and those with which you disagree.

(2) In your judgment, what elements of the Packard Commission and DMR recommendations have not been fully implemented?

(3) Which elements of the Packard Commission and DMR recommendations should receive priority attention in terms of achieving full implementation?

There are many excellent acquisition reform recommendations contained in the Packard Commission and Defense Management Report. Recommendations to streamline the acquisition organization, stabilize programs, enhance the quality of acquisition personnel and expand the use of commercial products are particularly noteworthy. Clearly, one of the most significant actions taken as a result of the Defense Management Report was issuance of the DOD 5000 series of instructions which established a uniform and disciplined management process for all acquisition programs. While these instructions streamlined the acquisition process by combining a myriad of separate policies and procedures into one concise set of instructions, further streamlining is necessary in order to shorten the lengthy acquisition cycle.

A key recommendation of both the Packard Commission and the Defense Management Report pertaining to acquisition was to expand the use of commercial items. Although various policy initiatives were attempted over the years in response to these recommendations, they were generally unsuccessful in terms of significantly increasing DOD or Navy usage of commercial items. However, two events during 1994—enactment of the Federal Acquisition Streamlining Act of 1994 (FASA) and Dr. Perry's issuance of guidance limiting use of military-unique specifications and standards—have significantly altered this situation. Over the next several years, as the acquisition workforce implements FASA and DOD shifts away from use of military specifications and standards, I expect we will see much greater use by DOD of commercial items. I support this result in view of its positive cost and industrial base implications and will take steps to ensure the Navy takes full advantage of opportunities to use commercial items.

DUTIES

Question. Section 5016 of title 10, United States Code, provides that the Assistant Secretaries of the Navy shall perform such duties and exercise such powers as the Secretary of the Navy force may prescribe. What is your understanding of the duties you will perform and the powers you will exercise as the Assistant Secretary of the Navy (Research, Development and Acquisition)?

Answer. The responsibilities of the Assistant Secretary of the Navy (Research, Development, and Acquisition) fall into two broad areas: policy and oversight. In the former, the Assistant Secretary handles the formulation and implementation of broad Department of the Navy policy across the full spectrum of research and development, material procurement, and life cycle management, both in areas unique to the Navy and Marine Corps and in those which evolve from broader Department of Defense and national policy. Programmatic oversight—either direct or indirect—is exercised over the entirety of Department of the Navy RDT&E, systems development, and procurement. In addition to these overarching responsibilities are man-

agement of the scientific and technical infrastructure; liaison with the Office of the Secretary of Defense, the other military services, the Congress, and foreign nations; management of the acquisition work force; and support of acquisition aspects of the Planning, Programming, and Budgeting process.

Question. What background and experience do you possess that you believe qualifies you to perform these duties and those outlined in the law and applicable DOD directives?

Answer. I have been involved in the oversight of major defense weapon systems programs throughout my entire career. During my Air Force career, I served tours of duty on the National Security Council Staff at the White House and on the staff of the Secretary of Defense, Secretary of the Air Force and the Chairman of the Joint Chiefs of Staff. My last assignment was as an Air Force Brigadier General was as the Deputy United States Military Representative to NATO Headquarters in Brussels, Belgium. In my current position, I am on the professional staff of the Senate Armed Services Committee with responsibility in the areas of Technology Base Programs and Policy; Acquisition Policy; Industrial Base Policy; and overall oversight of certain highly classified programs.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. I am professionally and technically prepared to assume the duties of the Assistant Secretary of the Navy (Research, Development, and Acquisition). I expect to be aided in my duties by the strong management team that currently exists within the Department. However, where opportunities exist for strengthening the team, I will do so with members of the career workforce as well as individuals from industry and academia.

MAJOR CHALLENGES

Question. In your view, what are the major challenges confronting the next Assistant Secretary of the Navy (Research, Development, and Acquisition)?

Answer. I believe the most important challenge facing the Navy today is how to maintain the U.S. Navy as the world's preeminent maritime power given a changing threat and today's fiscal realities. My challenge, if confirmed as the Assistant Secretary of the Navy (Research, Development, and Acquisition), will be to integrate the research, development, and acquisition functions into the context of this complex equation. These critical challenges are:

- (1) Maintain our technical advantage over all adversaries;
- (2) Develop and field affordable systems; and
- (3) Maintain a viable industrial and technological base as we downsize to adjust to a post-Cold War world.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. These are complex challenges, and cannot be resolved individually. They must be addressed in the context of improving the way the acquisition community and the government as a whole conducts business.

First, we must ensure that our infrastructure and force capabilities responds to the changing world. I will work with Secretary Dalton to continue to "rightsize" our R&D and acquisition infrastructure to meet this new world reality. Second, I will participate in the acquisition reform initiatives being undertaken by the Deputy Under Secretary of Defense for Acquisition Reform. Only through comprehensive reforms can the barriers between the defense and commercial sectors of the economy be reduced or eliminated. Better integration of the defense and commercial sectors will leverage the national technology base, and reduce overhead costs, and result in a technically superior and affordable product.

Finally, where there is a unique Navy capability not available to the commercial sector, I would support initiatives to protect these vital capabilities.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the management of research, development, and acquisition functions in the Department of the Navy?

Answer. As our resources are reduced, and acquisition choices become more difficult, we must do more with less. We must find more streamlined and efficient ways of developing and producing hardware, accommodating small production runs in a shrinking industrial base, and taking maximum advantage of commercial and industrial resources and products. Closely allied with these problems is the necessity to downsize the acquisition infrastructure while maintaining maximum essential capabilities and effectiveness.

Question. What management actions and timetables would you establish to address these problems?

Answer. The evolution of the Department of Defense Bottom-Up Review, and the subsequent development of the Navy's "Forward . . . from the Sea" has provided a set of fundamental assumptions and key decisions upon which the Department is framing an acquisition strategy appropriate to this new era. If confirmed, I will work closely with Secretary Dalton to address these issues in consonance with the larger Department of Defense context.

FUTURE RESEARCH

Question. In the past the DOD planned its research to meet the "sophisticated threats" that it saw as a part of the Cold War. What do you see as the model for future DOD research in the post-Cold War environment?

Answer. The Navy must continue to balance science and the application of technology to our defense requirements. There are a number of science and technologies areas unique to military interest, and these should be supported commensurate with the degree of their importance to the larger context. In the future, the Navy will continue to explore important dual-use technologies. Manufacturing technology for example is a key to affordable production of equipment and the rationalization of military standards and specifications with those of the commercial world. If confirmed, I will vigorously pursue this model and support interservice and interagency relationships as a means to maximize our return on this investment.

Question. How do you plan to focus the research to meet the Department of the Navy's needs of the future?

Answer. The need to develop and field new weapon systems quickly to combat a monolithic global threat has greatly diminished. As such, our emphasis has shifted to research and development as a means of risk reduction and improved manufacturing technology to speed the transition of technology to the field and to lower life cycle costs. Technological superiority remains paramount, but in the context of regional conflicts and post-Cold War challenge.

If confirmed, I will work to ensure that the research community responds better to articulated Navy and Marine Corps requirements. I believe this close interaction will allow the research and development community to better focus their efforts in areas where they may expect payoffs for our operational forces. For example, the focus on littoral issues vice previous focus on the Blue Water Navy, involves changes in the technology we need to emphasize.

I expect that we will work closely with industry to ensure that technology with specific capabilities be proven through fieldable prototypes. This will provide an opportunity to mitigate technical and production risk and to provide proof of new concepts prior to commitment to full-scale development or incorporation as upgrade to an existing system.

These efforts will ensure cost efficiency and successful system and subsystem development will facilitate affordability, as well as increase return on investment in a climate of reduced resources.

ACQUISITION STREAMLINING

Question. One of the major concerns of this committee has been the need for greater integration of commercial and military acquisition policies. This has become an increasingly important issue in view of the defense build-down, which will make it increasingly difficult to meet defense needs from an industrial base composed primarily of defense-dependent companies. The report of the Advisory Panel on Streamlining and Codifying the Acquisition Laws, which was established as a result of an initiative by this committee, contains numerous recommendations to reduce the barriers to commercial-military integration. Have you had the opportunity to review the recommendations of the panel? If so, what are your views on their recommendations?

Answer. I am familiar with many of the initiatives that are included in the Section 800 Panel report and clearly support the overall objective of streamlining the defense acquisition process and eliminating barriers that prevent the government from taking full advantage of the commercial marketplace. As you know, the Federal Acquisition Streamlining Act of 1994 (FASA) addressed many of the key recommendations made by the Section 800 Panel, including those pertaining to acquisition of commercial items. While the changes made by FASA are not identical in all respects with the panel's recommendations, they are generally consistent with the panel's recommendations and will greatly increase the government's ability to buy commercial items using commercial terms and conditions.

INTEGRITY OF THE ACQUISITION PROCESS

Question. What is your assessment of the effectiveness of the laws and regulations governing audit, inspection, and oversight functions with respect to the acquisition process? What is your view of the relationship between these laws and regulations and the goals of regulatory streamlining and facilitating the acquisition of commercial products? Do you anticipate the need for changes in legislative or regulatory authority?

Answer. Audit, inspection, and oversight are essential elements of the acquisition process. The challenge is to design and implement efficient audit and inspection systems that deter impropriety and provide an incentive for contractor compliance, while ensuring that the cost to all parties is in proportion with the benefits to be achieved. Historically, defense audit, inspection, and oversight requirements imposed on contractors have been more stringent than commercial standards. As DOD moves to increase use of commercial items, as well as to maximize the effectiveness of many of its other processes, it has become clear that the more stringent DOD standards are costly, and, in many cases, an impediment to acquiring commercial items. Some important steps have been taken to address this issue, but more work in this area is needed. Additional efforts for the most part involve internal streamlining and are being pursued. For example, the Under Secretary of Defense (Acquisition and Technology) chartered a process action team in November 1994 to develop recommendations for reform of DOD's contract administration functions. The team briefed its findings in February 1995 and many of its recommendations are being implemented at this time. I fully support the Under Secretary's efforts and will work with him to accomplish his goals in this area.

TESTING

Question. What is your view of the role that realistic testing should play in the acquisition process prior to any decision to enter into high rate production?

Answer. Realistic testing must be completed prior to any full rate production decision. This objective, however, must be balanced by the cost/benefit tradeoff of greater realism in testing versus risk. An affordable test plan must weigh the acquisition risk against the cost of various evaluation techniques and use either or both computer simulation and range simulation to emulate operational engagements. Testing must adequately verify that the system fulfills the stated requirements.

Question. Is there potential for savings in both time and money by: (1) making greater use of simulation? (2) combining simulation with low rate production and testing in the field?

Answer. There is significant potential for expediting the acquisition process and reducing costs by aggressive use of computer simulation. Clearly, computer simulation cannot completely replace actual production equipment in the operational environment, but it can be used both to determine where field testing should be concentrated and to extrapolate limited field test results to broader regimes. If confirmed, I plan to work with the Office of the Secretary of Defense and with Congress to actively pursue increased use of modeling and simulation to appropriately reduce test requirements.

TESTING INFRASTRUCTURE

Question. Everyone is familiar with the base closure process that has been used to help divest DOD of excess capacity. One area that does not appear to have shared in this process is in the testing infrastructure. Some have expressed concern over the fact that while the number of systems transitioning from R&D into procurement has dropped precipitously since the mid-1980s, there has been little adjustment in the testing and evaluation infrastructure. What are your views on determining the appropriate level for test and evaluation structure?

Answer. The determination of the appropriate level of infrastructure is the first step toward effective and efficient right-sizing and/or consolidation of facilities and capabilities. This determination must be made across service functional areas and in two general phases. First, each service's minimum core test and evaluation capabilities required to effectively support their acquisition programs must be accurately identified. These core capabilities must be based upon actual test requirements for upgrades to currently fielded systems as well as the projected test needs of programs entering the Developmental Test phase of the acquisition process. Second, once each service's core capability has been established, then a correlation between collective DOD test and evaluation needs should be made along with an appropriate level of infrastructure. If confirmed, I plan to work closely with Dr. Kaminski to

identify ways to reduce testing infrastructure that is redundant to the core needs of the Department of Defense.

Question. What are your views on deciding how management of this infrastructure should be changed to reflect a smaller demand from the smaller level of acquisition programs requiring this testing?

Answer. Developing a management structure tuned to a reduced test and evaluation infrastructure must be done carefully. Old paradigms must be overcome and new appropriate paradigms must be developed to step in and support a new way of doing business. The Department of the Navy has gone to a full spectrum RDT&E hub concept which includes research and development, test and evaluation, and in-service engineering within the same support complex. A tri-service management initiative is also in place being executed by the Test and Evaluation Executive Agent. The Executive Agent structure consists of the Service Vice Chiefs acting as the Board of Directors. Their focus is to eliminate excess test and evaluation infrastructure as well as duplication in any infrastructure investments needed to support the testing of new high-tech weapon systems of the future. It must be noted that even though the number of weapon systems transitioning from research and development has dropped, the RDT&E workload reported at our facilities has decreased only slightly. I believe we can and should continue to work this issue and, if confirmed, I intend to make it one of my priority issues.

TECHNOLOGY BASE

Question. The defense technology base has traditionally provided the DOD with technology for future weapons that has made American military equipment the most modern and most capable in the world. The defense technology base also has served to stimulate commercial development through the spin-off of defense projects into the commercial marketplace. Increasingly, it is also the prime mechanism for spin-on of commercial technology for defense needs. Are you committed to maintaining the growth in the defense technology base? What are your plans for further integration of the defense and non-defense technology bases to further the development of a dual-use industrial base?

Answer. I am committed to a vigorous and innovative technology base through sustained investments in appropriate areas of the technology base. Our technological superiority must be preserved for several reasons: (a) to counter numerical superiority; (b) to avoid technological surprise; (c) to upgrade our future systems acquisitions; and (d) to maintain an industrial capability. Technology superiority is crucial to our industrial competitiveness in the civilian sector and controlling acquisition costs in military systems. Existing legislation sponsored by this committee provides an excellent mechanism for technology exchange agreements between the Department of Defense research and development activities and industry. If confirmed, I intend to place increased emphasis on this mechanism of technology transfer. Furthermore, I believe that we must continue to relax requirements to use military specification components, where appropriate, with commercial products and further integration of technology into our forces more rapidly. If confirmed, I intend to implement this philosophy.

UNIVERSITY RESEARCH

Question. Research projects in our major universities have been one of the foundations of the defense technology base for many years. In recent years, the funding of university research has led to debates on the use of legislative earmarks and criticism of the peer review process. What are your ideas for changing the funding process to ensure that grants and contracts are awarded on the basis of merit, while expanding the research base by providing funding to a broad range of institutions rather than the traditional recipients?

Answer. I believe that grants and contracts to universities should be awarded through competition. By using this method, we receive the highest return on scarce investment resources. Clearly, all segments of our Nation's colleges and universities must have an equal opportunity to participate in defense research. As our defense industries move toward dual-use, it is important that universities and colleges have an opportunity to continue to be involved with state of the art technologies.

There also may be cases where we should expand research opportunities to a wider range of institutions. I believe we should establish specific programs and provide an opportunity for competition from among this wider class of recipients. I am committed to exploring ways to allow new entrants to compete for research and technology dollars.

INTERNATIONAL COOPERATIVE PROGRAMS

Question. What is your assessment of the value of cooperative research, development, and production programs with our allies?

Answer. I believe that Navy efforts to establish and implement international cooperative programs have strengthened alliance ties, enhanced interoperability, and saved money. That is why such a high value is placed on these programs.

In the aggregate, the Navy is obtaining an excellent return on foreign research and development contributions under such programs. In this era of declining defense budgets, at home and abroad, cooperative programs permit us to stretch our scarce research and development dollars further. When you combine such savings with the significant interoperability and supportability benefits enjoyed by allied fleets, I believe we should continue to vigorously pursue international cooperative programs.

Question. What are the primary obstacles to more effective cooperation in this area, and how would you overcome them?

Answer. The primary obstacle the Department of the Navy and the other military departments face is the administrative lead time it takes to put an international agreement in place to initiate a program. This obstacle is well known. While the Department of Defense has made some progress in reducing administrative lead time, additional streamlining of procedures for the review and approval of international agreements is still required. If confirmed, I intend to fully support the Under Secretary of Defense for Acquisition and Technology in his efforts to streamline the process.

External obstacles to cooperative programs are more diverse in nature, but I wish to emphasize three areas the Navy has found that require special attention:

- Harmonization of mutual requirements between potential cooperative partners is critical.
- Differences in national laws, acquisition policies and practices, and management styles must also be resolved during negotiations.
- Technology transfer issues in sensitive areas, for example, in stealth technology, may preclude cooperation.

Question. Could cooperation contribute to sustaining our industrial base, especially for those military systems that the United States might like to continue developing or producing at a low rate solely to maintain an industrial base?

Answer. Cooperative development programs can play a role in sustaining our industrial base. While it is true that those allies contribution funds to a joint program will demand proportionate "workshare" the end result is U.S. jobs. Successful collaboration also provides the additional benefit of an expanded market for third-party sales which is another positive impact on the industrial base.

FOREIGN OWNERSHIP

Question. What are your views on foreign ownership or investment in companies involved in the defense acquisition process?

Answer. Foreign ownership of, or investment in U.S. defense firms exists today. The issue is not foreign ownership per se, but rather safeguards to protect our national interests. We must ensure, on a case-by-case basis, that foreign ownership does not adversely affect our ability to acquire technology, and to produce affordable high quality systems.

Question. What criteria should be used in assessing the merits of a foreign acquisition of or investment in a U.S. company?

Answer. The first step would be an assessment to determine possible adverse effects on our national security and economic interests. If that assessment determines that the risks are too high and cannot be reduced by alternative Department of Defense actions in concert with the foreign acquisition, then the Department of Defense should oppose the acquisition. This is especially true when so called "Special Access" programs are involved.

SMALL AND MINORITY BUSINESSES

Question. Please describe your plans for the management of each of the following programs:

- (1) The Small Business Innovative Research Program.
- (2) The Mentor-Protege Program.
- (3) The Small Business Company-wide Subcontracting Test Program.
- (4) Defense Research Infrastructure Assistance for Historically Black Colleges and Minority Institutions.
- (5) The Surety Bond Waiver Program.

(6) The Subcontractor Payment Protection Program.

Answer. I believe that small business has the potential to create and to apply technology with a productivity that exceeds that of larger companies. As such, I will endeavor to use and to support each of the small business programs to which the Department of the Navy has access.

While I have been the committee advocate for these programs, I have not had the opportunity to study the Navy's implementation of each of the aforementioned small business initiatives in detail, and therefore, I am not prepared to discuss how to manage each at this time.

Question. What actions would you recommend to improve the Department's performance in terms of attaining the "section 1207" 5 percent goal for small disadvantaged business participation in defense procurement?

Answer. The Navy has a vigorous program to improve small disadvantaged business participation and has an outstanding record in this area. These accomplishments are due to active participation in the Small Business Administration's 8(a) business development program and to outreach programs designed to introduce small disadvantaged businesses to prospective Navy procurement opportunities.

If confirmed, I will make certain that our current performance continues to the maximum extent possible. I will assist in keeping the small disadvantaged business initiative visible to assure that implementation of existing small disadvantaged business preference programs is maintained. I will do my best to encourage our major prime contractors to incorporate challenging, obtainable small disadvantaged business subcontracting goals in their subcontracting plans, and encourage greater development of Mentor-Protege relationships.

MODELING AND SIMULATION

Question. The Department, at congressional direction, has established a central office to coordinate the policies and programs of the Department in the area of modeling and simulation. What role do you see modeling and simulation playing in the Department of the Navy acquisition programs?

Answer. As I indicated in several other responses, I strongly support modeling and simulation in acquisition programs. It is an excellent way to save money, if used wisely. It can be particularly useful for exploring the effects of varying technical parameters early in the development cycle without having to build and test actual hardware. It can be used as an efficient means for establishing training and maintenance strategies. To the extent that it makes good programmatic sense, I am supportive of central simulation facilities and the communication networks needed to make these work in a distributed context.

ADVANCED CONVENTIONAL MUNITIONS

Question. One of the lessons of Operation Desert Storm is the importance of advanced conventional munitions in achieving decisive military results in a short period with minimum casualties. Maintaining a wide margin of superiority in munitions technology would therefore appear to be a high priority. Do you believe that there is an appropriately focused program within the Department of the Navy to achieve this priority?

Answer. Two years ago, I might have said that the answer would have been no. Today, however, I believe that the answer is a strong yes. In fiscal year 1995, the Navy began a new thrust in air and surface weapons advanced technology (P.E. 0603217N) in order to (1) provide transition for emerging 6.2 technology concepts, and (2) to complement the existing effort in undersea weaponry. In addition, a technology demonstration of sea launch of the Army ATACMS missile completed this year, and a new Advanced Technology Demonstration began which demonstrates very low cost GPS guidance in a 5" projectile.

Question. What goals do you intend to set for improving munitions performance and capability?

Answer. I understand that Science and Technology investment increases are programmed through the FYDP, including growth in the new air and surface weapons 6.3 line (P.E. 0603217N). A new ATD is planned in fiscal year 1997 in low cost, competent munitions, which will provide a precision, low cost, long-range option for Navy projectiles, allowing them to play a significant new role in surface fire support. I would like to see how new weaponry thrusts focus on increasing precision and flexibility at decreasing cost. If confirmed, I plan to follow this issue closely.

INDUSTRIAL AND TECHNOLOGY BASES

Question. One of the functions of the Office of the Under Secretary of Defense for Acquisition is establishing policies for the maintenance of the defense industrial

base. Sections 4211 through 4220 of the Defense Authorization Act for Fiscal Year 1993 established a number of requirements for a process in the Department of Defense for assessing, planning, and overseeing programs for maintaining critical industry and technology capabilities. What is your assessment of the effectiveness of the process established by these statutes for maintaining critical defense industrial and technology base capabilities? What specific strategies are needed to ensure the preservation of essential capabilities during the current defense spending reductions? What influence do you believe the Department of Defense can or should exercise on the direction of the current, massive restructuring of the defense industry?

Answer. I believe that the statutes provide a structured and logical approach to identifying our technology and industrial capabilities as measured against projected requirements. Top-down reviews of select defense sectors (such as shipbuilding, space, electronics, communications, ammunition, combat vehicles, missiles, aircraft, and support) are routinely undertaken and are also a part of the Navy's annual Program Review. The Office of the Secretary of Defense recently developed a complimentary methodology which will be used for all future reviews and analyses that evaluate the defense industrial base for each service. If confirmed, I will join Secretary Dalton, the Under Secretary of Defense for Acquisition and Technology and other Service Acquisition Executives in using these analyses as a decisionmaking tool to identify critical and unique areas of the defense industrial base that need to be protected.

When critical sections of the industrial base are identified and potential procurements will not suffice to maintain viability, a variety of alternatives need to be explored to preserve essential capabilities. These potential alternatives include the use of RDT&E, modifications and upgrades in place of actual production, increased production of spare parts, targeting repair and overhaul work at key facilities, selectively upgrading existing equipment, encouraging foreign military sales, and as a last resort, instituting small production runs specifically for industrial base preservation.

ACQUISITION WORKFORCE

Question. DOD and the services have different ways of counting the people who are involved in systems acquisition. This plus the extreme diversity of the items procured by DOD makes the management of the acquisition workforce extremely complex. It is clear, however, that the size of this force must be sharply reduced as the size of the DOD acquisition program declines. The mix of civilians and military also must be balanced to reflect the needs of the services and the type of acquisitions that are planned. What are your plans to reduce the Department of the Navy acquisition workforce and what do you see as the major challenges in managing this diverse workforce?

Answer. The Defense Acquisition Workforce Improvement Act (DAWIA) has provided a unified framework for counting the people involved in systems acquisition. I have been told that, presently, there are about 30,000 total acquisition positions in the Department of the Navy, with approximately 14 percent filled by military officers. As downsizing occurs, this current mix of civilians and military may change.

As the Department of the Navy downsizes programs and supporting infrastructure, the acquisition work force will surely decline. I intend to work closely with the Assistant Secretary of the Navy for Manpower and Reserve Affairs to ensure that we are able to retain a highly qualified acquisition work force, with minimum disruption to acquisition programs during this downsizing.

If confirmed, the major challenge that I will face concerns developing and maintaining a highly qualified, dedicated acquisition work force in this era of reduced resources. As such, I strongly support the development programs mandated by DAWIA, including Intern Programs and Tuition Assistance, as well as continued emphasis on providing career field training necessary for work force members to do their job more effectively. I came up through the ranks of this workforce, and I plan to pay close attention to its needs to ensure that we have the best qualified acquisition work force possible.

ACQUISITION ORGANIZATION

Question. The relationship between the Service Acquisition officials and the Under Secretary of Defense (Acquisition and Technology) has varied from administration to administration since the Packard Commission recommended that the Under Secretary's position be established. How do you see this relationship under the current administration?

Answer. Within the Department of Defense there is a close institutional relationship between the Under Secretary of Defense for Acquisition and the Service Acqui-

sition Executives. I believe that this relationship will be maintained because I have known and worked with the Under Secretary of Defense for Acquisition and Technology, Dr. Kaminski, for many years.

Question. Will policy be established or decentralized?

Answer. The Under Secretary of Defense for Acquisition and Technology establishes acquisition policy as promulgated in the DOD 5000 series instructions. The Service Acquisition Executives are responsible for implementing this policy.

Question. Who will have the final approval authority for major weapons systems?

Answer. The Under Secretary of Defense for Acquisition is the approval authority for major defense acquisition programs unless this authority is delegated to the Service Acquisition Executive. As Secretary Dalton and Under Secretary Kaminski have both stated, the Secretaries of the military departments would always be able to appeal a decision by the Under Secretary of Defense for Acquisition and Technology to the Secretary and Deputy Secretary of Defense. The good news is that I will be joining a management team that knows how to make this system work for the best interests of the Nation, the Department of Defense, and the Department of the Navy.

R&D VERSUS PRODUCTION

Question. As defense production declines, the relationship between production and research and development begins to be a problem because there are not enough funds to produce all of the systems coming out of the research and development process. How do you plan to address this without cutting the R&D that fuels our technology base?

Answer. If confirmed, I will pursue a balanced Science and Technology program that is relevant to the Navy's long-term needs, and technology developments and early application where the opportunity exists to apply technology cost-effectively to achieve a new or enhanced Navy capability.

We need to mature appropriate technologies to maintain the superiority that we hold today, and carefully select those systems that move into production. There will be fewer systems, and the Navy needs to be able to select from a robust set of technology alternatives each time it needs to invest in a new capability.

It will be necessary to focus science and technology on programs responding to Joint Mission Areas and requirements where there is real potential for timely transition and fielding. This involves judiciously selecting technologies for prototype demonstration and insertion into system development and production. An important part of this process will be greatly increased testing of fieldable prototypes by operational users, thereby allowing the inclusion of tactical lessons learned prior to committing to production. The key to the integration process will be clear conceptual development of those capabilities needed by our future forces and matching those to evolving technology opportunities. I am dedicated to getting our operators involved in the development process as early as possible.

CONGRESSIONAL EARMARKING

Question. How would you work with Congress in a cooperative effort to eliminate or vastly reduce earmarking?

Answer. One of the problems that has developed in recent years between the executive branch and Congress is the problem of congressional earmarking. This committee has been in the forefront of efforts to reduce earmarking. Despite our efforts, the GAO has noted that earmarking has increased in recent years. I believe that the administration can work with Congress to reverse this trend.

The key to cooperation is good communications. If confirmed, I will encourage the continued dialogue between my staff and both members and professional staff of this committee on the content and direction of the Navy's research and acquisition programs.

Enhanced communication between Congress and the Navy will be extremely valuable in preventing problems especially as resources diminish and the Navy's budget requests increasingly reflect competitive selections among the warfighter's needs.

NON-U.S. SYSTEMS

Question. Many in government and industry are concerned that the increased use of foreign-made components in military systems may hold us hostage in the future. How will you address the issue of foreign components?

Answer. The decision on the use of foreign components must be judged on a case-by-case basis to assess the impact on our economic interest on balance with our national security requirements. The central issue is to protect our national economic

interest with no adverse effect on our ability to acquire new technology and affordable high quality weapon systems and components.

Question. Should there be a critical technologies "stockpile" similar in concept to the critical materials stockpile?

Answer. The advancement of the modern technology continues at a rate where today's production equipment and components quickly become obsolete. Therefore, the technology we put on the shelf today will become obsolete tomorrow unless we continue to upgrade and improve it. As such, the concept of a technologies "stockpile" is most likely less applicable than it may have been in the past.

JAST

Question. There appears to be some confusion about what the joint advanced strike technology (JAST) program is supposed to deliver for the money DOD is investing in it. Some view this program as a mechanism for maturing the various technology efforts that might contribute to make future aircraft development programs more capable or more affordable. Others believe that the JAST program should be developing a new aircraft or set of common aircraft components for the Air Force, Navy, and Marine Corps sets of requirements. What do you believe should be the appropriate focus of the JAST program?

Answer. It is clear that the Air Force, Navy, and Marine Corps have a critical need for an affordable tactical aircraft circa 2010. I believe that the DOD has accurately assessed the focus areas for the JAST program.

The focus of JAST is to enable the start of a low risk aircraft engineering and manufacturing development program by funding the demonstration of new technologies through laboratory, ground, and flight tests. These demonstration efforts are critical to the successful development of a highly common, affordable aircraft to satisfy the tri-service needs.

JAST efforts should also feed other aircraft programs future modifications and identify high payoff systems for future development. The JAST program, however, must be a "real program" that will put hardware on the Navy's decks by some certain time. I will work closely with the Air Force and DOD to ensure that this is the case.

Question. With that in mind, how should DOD be managing the JAST program effort to achieve that aim?

Answer. I believe that the JAST program is being properly managed at this time through a senior DOD oversight group as well as through an Overarching Integrated Process Team. The JROC has endorsed the JAST program concept. If confirmed, I will push hard for JAST and/or the product of JAST to transition to a major Defense acquisition program, at the earliest appropriate time.

UAV PROGRAMS

Question. The Assistant Secretary of the Navy (Research, Development, and Acquisition) is directly responsible for the Joint Project Office for unmanned aerial vehicles (JPO-UAV). This office has been criticized for failing to follow congressional guidance in a number of areas, such as implementing the common automatic recovery and landing system (CARLS). The DOD also now has another office, the Defense Airborne Reconnaissance Office (DARO), that is responsible for the bulk of defense reconnaissance systems, including UAVs. What do you believe should be the appropriate relationship between the Assistant Secretary of the Navy (Research, Development, and Acquisition), the DARO, and the JPO-UAV in developing and fielding various UAV programs?

Answer. The Deputy Secretary of Defense issued a directive that established DARO and defined the responsibilities and functions for DARO as well as the relationships with the Service Acquisition Executives.

- DARO is responsible for developing the overall integrated airborne reconnaissance architecture, coordinating military intelligence needs and requirements and resource allocation.

- The Service Acquisition Executives are responsible for the execution of programs as approved by the Secretary of Defense.

- The JPO works directly for the Assistant Secretary of the Navy (Research, Development, and Acquisition) and is responsible for the day-to-day management and contracting for their assigned programs.

I fully support this position and I am committed to a robust UAV program for the Navy. I recognize that there has to be extensive coordination and communication at all levels to effectively and efficiently execute programs.

Question. What steps do you believe are appropriate for ensuring the JPO-UAV office follows congressional guidance?

Answer. I believe that every attempt should be made to follow congressional guidance. In the case of UAVs, there has been significant interest by each of the committees, albeit, this interest in some cases appear to be conflicting. As a general principle, I intend to follow committee direction where feasible. If differences exists between the committees, I intend to do my best to work with DARO, and in turn, the committees to reach a solution that is acceptable to all. I will work closely with Congress to move our UAVs into our force structure as quickly as possible given the financial constraints we face.

SHIPBUILDING

Question. Congress has rejected the Navy's plan for keeping two nuclear-capable shipyards by directing all carrier work to Newport News and all submarine work, at least in the near term, to Electric Boat. What difficulties do you see in implementing the submarine acquisition plan as directed in the Senate version of the fiscal year 1996 authorization bill?

Answer. I see no insurmountable difficulties. The Senate plan meets the Navy's objectives. The SASC bill authorizes funding to complete the class of three *Seawolf* submarines as planned by the Navy. In addition, the SASC plan preserves the design/build approach for the leads ship of the NSSN class at General Dynamics, Electric Boat Division which allows the design to reach maturity as originally planned. Design maturity significantly affects the end cost of the ship construction. A more mature design results in fewer and smaller scope engineering changes once construction begins. Funds provided in the SASC version of the bill will enable Newport News Shipbuilding to become familiar with the NSSN design and adapt it to their own unique facilities, tooling, and construction techniques for fiscal year 1999 ship construction and subsequent competitive awards. The SASC plan ensures the Nation maintains two nuclear capable shipyards and reduces the national security risk of having only one such yard.

Question. Do you see other looming problems for the Navy between the potentially competing goals of (1) streamlining acquisition and ensuring maximum competition, and (2) supporting a shipbuilding industrial base sufficient to meet the country's needs?

Answer. In general, the Navy's near-term (FYDP) shipbuilding plan calls for a total of 28 new construction ships and additional ship conversions.

I believe we need to sustain the currently fragile industrial base by encouraging commercial shipbuilding, foreign military sales, and provide other Navy ship repair work when possible to ensure the viability of critical shipyards. Acceleration of the LPD-17 and LHD-7 as described in the Appropriations Conference Report also helps support this industry and improves its ability to support our defense needs.

The Navy's recapitalization requirements at the turn of the century will provide shipbuilders with an adequate business base to continue supporting the Navy—as they have done so well in the past.

Both Congress and the Navy recognize the need to maintain two nuclear-capable shipbuilders. The Senate plan ensures that Electric Boat and Newport News will be able to compete for the third NSSN in fiscal year 2000. If confirmed, I plan to do everything I can to ensure that our shipbuilding industrial base remains healthy and if possible expands into the world-wide commercial shipbuilding market.

Question. Last year, Congress passed the Federal Acquisitions Streamlining Act to lay the groundwork for a more fundamental reworking of the acquisition process and culture in the Department of Defense. If you are confirmed as the Navy Service Acquisition Executive, what initiatives do you intend to pursue in the Navy to further pursue the goal of acquisition streamlining? Do you foresee the need for Congress to consider further changes to the law to fully implement your acquisition reform goals? If so, list some of the changes you intend to pursue?

Answer. There are three elements of the FASA 1994 legislation that I am particularly enthusiastic about. The first is EC/EDI—Electronic Commerce/Electronic Data Interchange. The Navy has aggressively pursued the use of cutting-edge information technology to move the field contracting activities forward in electronic purchasing. Organizations that accounted for 31 percent of the fiscal year 1994 dollar volume are certified now with 32 percent more to be added by March 1996. I plan to move forward across the board to get Navy acquisition commands wired for all business transactions. The second element is the use of flexibility provided by FASA in the commercial items area. The Navy has recently established an RFP benchmarking team to assure all new requests for procurement promote the use of COTS/NDI and document and share lessons learned across the Navy. There are opportunities presented by more aggressive application of this element of FASA. I intend to move quickly to establish a stronger program in that area. Third, the Navy must continue

to fully support OSD's intensive training efforts on FASA implementation. This includes both proven and innovative training initiatives and widespread dissemination through state-of-the-art technology such as satellite downlink, Internet, and CD-ROM.

I think FASA 1994 lays a good groundwork for the services to move forward on reform. Much of the opportunity for real reform lies with effective utilization of the tools the services already have available. The impediment to progress is the culture, which is slow to adapt and use the flexibility FASA has provided. Cultural change will be a major element of my program of reform. One area where further legislative refinement may be in order is procurement integrity. There is no question that we must hold public officials and companies that provide material and services to the government to very high standards. However, the current laws are often cited by industry and government as barriers and as too restrictive of pre-award communication. If confirmed, when I have crafted language that addresses these issues, I intend to bring it forward.

Question. Currently, Ms. Colleen Preston as the Deputy Under Secretary of Defense for Acquisition Reform is the DOD focal point for acquisition reform efforts. What is the relationship between her office and the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition concerning the formulation and implementation of new acquisition reform initiatives? Are there significant differences between the approach of the Navy and the approach of the Office of the Secretary of Defense on these issues? If confirmed, how do you intend to interface with Ms. Preston's office on reform issues?

Answer. Based on recent conversations with Ms. Preston, I believe the Navy's relationship with Colleen Preston has been positive and synergistic. As DOD began to move forward on the reform front it was absolutely imperative that DOD have someone with Colleen's energy and enthusiasm to propel us forward. The Navy participated in five of the Process Action Teams devoted to FASA implementation and sent subject matter experts to help design and develop FASA training packages, with Navy representatives participating in the OSD satellite broadcasts. The Navy also participated in EC/EDI and Communications Process Action Teams and is a proactive member of the Acquisition Reform Communications Center under the Defense Acquisition University.

The Navy created an Acquisition Reform Office which interfaces daily with Ms. Preston's office and has the responsibility for facilitating Acquisition Reform initiatives throughout the Navy. This office is headed by a senior executive, who is a former PEO and Program Manager, providing high credibility with the Navy acquisition workforce. The two offices have proven to be quite symbiotic—complementing each other's strengths in terms of policy initiatives and formulation of additional thrusts. The Navy Acquisition Reform Office has been the catalyst needed to move from concept and policy to widespread implementation and acceptance.

As far as I can tell the Navy does not have significant differences with OSD on the substance of reform. The OSD/service team approach promotes strong interaction and open communications. Active participation by all senior Navy acquisition executives in OSD Acquisition Management Planning encourages strong dialogue and provides the opportunity for consensus building within the acquisition management community. Many of the specific improvement initiatives underway are the result of teams, committees, and work groups heavily populated with service and DIA specialists. This approach has been very important in terms of developing a sense of teamwork across the entire Department and ensuring goal congruence.

As I mentioned earlier, Navy established a counterpart organization reporting directly to RDA to ensure good communications with Colleen's organization and to facilitate implementation of Acquisition Reform across the Navy. If confirmed, I plan to build on that successful organization. Additionally, I will personally be chairing the Navy Acquisition Reform Senior Oversight Council made up of all of the Navy's key acquisition officials—SYSCOMs, PEOs, the Deputy Assistant Secretaries—and the requirements setting community. A representative of Colleen's staff has been a welcome member of the group. Paul Kaminski and Noel Longuemare have also put a lot of energy into establishing the Defense Manufacturing Council where across-the-board initiatives are being developed and put into place. Both Colleen and I will be active participants on that body. The Navy has also placed people on developmental assignments in Ms. Preston's office and I will continue to provide this support.

Question. The Advanced Research Projects Agency has made significant progress in establishing cooperative arrangements between the DOD and industry for the development of technologies that may have commercial as well as military applications. How would you characterize the Navy approach to similar arrangements with industry?

Answer. The Navy has negotiated 29 Cooperative Agreements with industry to date through the Office of Naval Research (10 in fiscal year 1994 and 19 in fiscal year 1995). The Cooperative Agreement has proved to be the most effective way of establishing a contractual relationship with industry to develop technology required by the Navy and in the best commercial interests of industry, and where there is benefit in government/industry cost-sharing. The use of Cooperative Agreements has been extended to cover technology developments under the Technology Reinvestment Program (TRP) and the ARPA Maritime Technology Program (MARITECH).

The Navy has also negotiated 316 Cooperative Research and Development Agreements (CRADAs). The CRADA has been found to be the most effective instrument for the Navy to transfer technology to industry and to jointly develop technology with industry in those cases where there is no direct Navy financial support for industrial contribution to the activity. CRADAs are used by the Navy to leverage Independent (industrial) R&D (IR&D) and to ensure strong and effective technology transfer between Navy and industry. An example of an effective CRADA is the joint development of a technique for improved littoral assessments negotiated by the Naval Undersea Warfare Center with industry. This CRADA also provides enhanced undersea survey capabilities for U.S. industry. The Navy is currently negotiating some 130 CRADAs per year.

If confirmed, what steps do you intend to take to use current authority in law to seek cooperative R&D agreements with the private sector?

I believe the Navy is using the current authority very effectively, and I will support these efforts and I plan to increase these efforts to benefit both the Navy and industry wherever possible.

Question. The Navy Manufacturing Technology Program, unlike those in the other services, has relied largely on the use of centers of excellence to carry out research on manufacturing process technologies. What, in your view, are the advantages and disadvantages of that approach?

Answer. Congress has been a driving force in emphasizing the MANTECH program, and expanded the concept of Center of Excellence. Government seed money for establishing Centers of Excellence for manufacturing technology areas is an important factor in affordability and cost containment of DOD's procurement programs. However, fundamentally, government investment in the Centers is viewed only as seed money to develop knowledge and process to support U.S. industrial capability and competitiveness. The goal is that these Centers will become self-sustaining with government funding limited to specific manufacturing technology requirements in support of specific DOD programs.

Question. If nominated, do you intend to make significant changes to the Navy approach to manufacturing technology R&D?

Answer. I see several important goals for the MANTECH program. First, the manufacturing science and technology program should link funding requests to the requirements of individual acquisition program managers. I would also seek to involve the producers of manufacturing equipment more directly in the projects funded under MANTECH. Second, I would work to strengthen interservice coordination processes through such organizations as the Joint Directors of Laboratories to avoid duplication and to ensure that priority technology thrusts within manufacturing science and technology are addressed. Third, we must improve our techniques to more adequately measure the return on manufacturing technology programs by all non-Federal participants in all cases where there is a potential for dual-use technologies.

Question. Will you seek any changes to the historic levels of funding for this program?

Answer. While recognizing that the manufacturing science and technology programs remain underfunded, it is important these programs be funded at the requested amount. For the period fiscal year 1992, DOD requested \$502.2 million for MANTECH programs, but Congress appropriated \$998 million. The Navy and DOD's MANTECH budget requests are formulated in a balance with overall Department requirements in the era of declining budgets. With appropriations consistent with departmental requests, MANTECH funds would be channeled into funding specific projects at Centers based on annual review of requirements.

I plan to raise the visibility of the MANTECH program within the Navy Acquisition Community. I believe linking this program our design efforts may turn out to be one of my top priorities. As this issue unfolds, I will work closely with the committee to ensure that the Navy MANTECH program is in sync with congressional initiatives for manufacturing technology.

Question. Recent acquisition reform efforts presume that we will have a sufficient number of skilled acquisition management personnel to use effectively streamlined, commercial practices for the acquisition of goods and services for the Defense De-

partment. How would you characterize the state of the Navy acquisition management team and its ability to meet the new challenges in acquisition management? If nominated, what initiatives do you plan to implement to increase the ability of the Navy acquisition workforce to cope with the changing environment of acquisition management?

Answer. The 1990 Defense Acquisition Workforce Improvement Act (DAWIA) sought to enhance the skills of the Defense acquisition workforce through a program with rigorous requirements for training, education, and structured career development. The Navy followed through by working closely with the Office of the Secretary of Defense and Congress to build a program that appears to me to be sound, well conceived, and executed. It provides for:

- Maintaining a highly skilled acquisition workforce through a mandatory certification program that includes continuing training to keep pace with technological advancements;

- Granting tuition assistance to acquisition workforce members who desire to pursue undergraduate and graduate degrees in disciplines related to acquisition;

- Awarding scholarships to individuals with outstanding potential for career growth in acquisition; and

- Recruiting and training promising young college graduates as acquisition interns who will continue to fill the ranks of the acquisition community as the more senior employees depart. One of my highest priorities will be to ensure that Navy continues to attract, train, and retain these interns to support Navy's mission in the long term.

Navy has taken on a leadership role in implementing DAWIA and I would characterize the state of the acquisition management team as being skilled and ready to address the changes resulting from the Federal Acquisition Streamlining Act of 1994 and other reform initiatives. My plans are to maintain and enhance Navy's existing acquisition workforce program with emphasis on acquisition reform initiatives to ensure a proper mix of skills in a downsized force. DAWIA requires all persons in the acquisition workforce to complete training courses geared to their acquisition career fields. I plan to work with the Office of the Secretary of Defense to incorporate procedures implementing new reform initiatives into these mandatory and refresher acquisition training courses as quickly as possible. In addition, while acquisition courses are being revised, my plan is to notify Navy acquisition personnel around the world about these initiatives by continuing to provide specialized briefing teams, conducting video conferences, using the Internet, and publishing information in newsletters.

The Navy has worked closely with the Office of the Department of Defense and Congress to develop a strong and highly skilled acquisition workforce. Any downsizing initiatives, however, must be carefully structured to ensure that the force is reduced in an orderly and structured way. Otherwise, we jeopardize losing the Navy's best qualified people for whom we have a large investment in acquisition education and training.

[The nomination reference of John W. Douglass follows:]

NOMINATION REFERENCE

SENATE OF THE UNITED STATES,
September 21, 1995.

Ordered, that the following nomination be referred to the Committee on Armed Services:

John Wade Douglass, of Virginia, to be an Assistant Secretary of the Navy, vice Nora Slatkin, resigned.

[The biographical sketch of John W. Douglass, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JOHN W. DOUGLASS

John Douglass serves as a professional staff member for the minority on the Senate Armed Services Committee. The ranking minority member is Senator Sam Nunn of Georgia. John joined the committee in May 1992 and is responsible for technology base programs and policy, acquisition policy, industrial base policy,

NATO issues, defense trade issues, the defense stockpile, certain Army programs, intelligence issues, and overall oversight of certain highly classified programs.

Before joining the committee, John served as a Brigadier General in the United States Air Force. During his most recent tour of duty, John was the Deputy United States Military Representative to NATO Headquarters in Brussels, Belgium.

During his Air Force career, John served tours of duty on the National Security Council Staff at the White House and on the staff of the Secretary of Defense and the Secretary of the Air Force, and the Chairman of the Joint Chiefs of Staff. He is the recipient of numerous military and civilian awards and decorations.

John is a graduate of the University of Florida, Texas Tech, Fairleigh Dickenson University, and has done extensive post graduate work at Cornell University. He holds multiple degrees in Engineering and Management.

EXECUTIVE SUMMARY

Professional Staff Member Senate Armed Services Committee

- Foreign policy advisor to Senator Sam Nunn, former Chairman.
- Minority staff member, subcommittee on Defense Industry and Technology, responsible for over \$15 billion in Technology Base programs.
- Committee minority coordinator for all codeword programs.
- Minority staff member for Defense Conversion and Technology Reinvestment Programs.

PAST POSITIONS

Deputy U.S. Military Representative to NATO

- Represented United States at high level military/diplomatic meetings.
- Extensive contact with NATO allies and East Europeans.
- Personal representative of the Chairman, Joint Chiefs of Staff.
- Extensive experience with NATO operations from Norway to Turkey.
- Directed day-to-day operation of the U.S. Delegation to NATO Headquarters.

Director of Plans and Policy, Office of the Secretary of the Air Force

- Prepared Congressional Justification for all Air Force Acquisition programs.
- Responsible for Air Force Acquisition Policy.
- Managed Program Review process for major acquisition programs.

Director of Science and Technology, Office of the Secretary of the Air Force

- Responsible for the entire Air Force Science and Technology program, 14 Labs, 10,000 scientists and engineers.
- Managed all Air Force Technology issues.
- Air Force witness for Technology in congressional hearings.

Director of National Security Programs, National Security Council, the White House

- Formulated national security policy on a broad range of national security issues.
- Primary responsibility for the Strategic Modernization Program.
- Monitored all Codeword Acquisition programs for the President.
- President's personal representative to Presidential commissions including the Packard Commission.

Special Assistant to the Under Secretary of Defense for Acquisition

- Managed all Codeword Acquisition programs and the codeword budget process for the Secretary.
- Wrote all the Secretary's speeches.
- Acted as the Secretary's personal liaison to Congress.
- Prepared and subsequently edited all congressional testimony for the Secretary.
- Wrote all the Secretary's personal correspondence.

EDUCATION

- Post Graduate Research, Cornell University.
- MS, Management Science, Fairleigh Dickenson University.
- MS, Industrial Engineering, Texas Tech University.
- BS, Industrial Engineering, University of Florida.
- AS, Business, University of Florida.
- Broad range of professional military schools and courses.

PERSONAL

- Completed 28 years of Air Force service as Brigadier General.
- Served at every level of Defense from unit level to the White House.
- Awarded nation's top peacetime military decorations.
- Extensive experience in public speaking.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by John W. Douglass in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. Name: (Include any former names used.)

John Wade Douglass.

2. Position to which nominated:

Assistant Secretary of the Navy for Research, Development, and Acquisition.

3. Date of nomination:

September 21, 1995.

4. Address: (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. Date and place of birth:

May 2, 1941; Miami, FL.

6. Marital Status: (Include maiden name of wife or husband's name.)

Married to Susan Adair Douglass Dupire.

7. Names and ages of children:

William M. Douglass, 30; and Laura N. Douglass, 28.

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

University of Florida, 1959-1963, Associate of Arts, BS in Industrial Engineering, 1963.

Texas Tech University, 1966-1967, MS in Industrial Engineering, 1967.

Fairleigh Dickenson University, 1970-1972, MS in Management Science, 1972.

Cornell University, 1980-1981, Post Graduate Research.

9. Employment record: List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

Officer USAF, 1963–1992, retired brigadier general.

Professional Staff Member, Senate Armed Services Committee, 1992–present.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None.

11. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. Memberships: List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Air Force Association.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

None.

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Defense Distinguished Service Medal.

Defense Superior Service Medal with two Bronze Oak Leaf Clusters.

Meritorious Service Medal with one Oak Leaf Cluster.

Air Force Commendation Medal with one Bronze Oak Leaf Cluster.

Air Force Outstanding Unit Award.

National Defense Services Medal with one Oak Leaf Cluster.

Air Force Longevity Service Award Ribbon with one Silver Oak Leaf Cluster.

Small Arms Expert Marksmanship Ribbon.

Air Force Training Ribbon.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

“Cruise Missiles, Quick-Fix for the 1990s”, Cornell Peace Studies Program, 1981.

“Multi-Year Procurement, Making It Work for Defense”, Cornell Peace Studies Program, 1981.

“Paradigm Lost—The End of the Cold War”, Army Magazine, 1992.

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

I have given hundreds of speeches over the past 3 years. These have been mostly informal talks to small groups. All have been made from notes, and no texts exist.

17. Commitment to testify before Senate committees: Do you agree, if confirmed, to respond to requests to appear and testify before any duly constituted committee of the Senate?

Yes.

[The nominee responded to the questions in Parts B–F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee’s answers to Parts B–F are contained in the committee’s executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

JOHN W. DOUGLASS.

This 21st day of September, 1995.

[The nomination of John W. Douglass was reported to the Senate by Senator Strom Thurmond on September 29, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on October 27, 1995.]

NOMINATION OF ARTHUR L. MONEY TO BE ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION

TUESDAY, NOVEMBER 14, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:00 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Warner, and Nunn.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Donald A. Deline, general counsel; and Christine K. Cimko, press secretary.

Professional staff members present: Charles S. Abell, Jonathan L. Etherton, Stephen L. Madey, Jr., and Bert K. Mizusawa.

Minority staff members present: Andrew S. Effron, minority counsel; Creighton Greene, Patrick T. Henry, and William E. Hoehn, Jr., professional staff members.

Staff assistants present: Pamela L. Farrell, Connie B. Rader, and Jennifer Wallace.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; Glen E. Tait, assistant to Senator Kempthorne; Andrew W. Johnson, assistant to Senator Exon; David A. Lewis, assistant to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; John P. Stevens, assistant to Senator Glenn; William Owens, assistant to Senator Robb; and Mary Weaver Bennett, assistant to Senator Bryan.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

Mr. Money, we are glad to have you with us. Do you pronounce it Money or Money?

Mr. MONEY. Money, sir.

Chairman THURMOND. Money just like the money you use for exchange.

Mr. MONEY. You bet.

Chairman THURMOND. Before we proceed any further, I would like to take a few minutes and recognize some very important people attending today's hearing. I believe your wife Sharon is here—

I just spoke to her—along with some special friends of yours. Now, would you please introduce them to us?

Mr. MONEY. Yes, sir. I would love to introduce two very long, lifetime friends since high school days, Ken and Claudia Blackmon.

Chairman THURMOND. We are very glad that you could be with us.

Mr. Money, after reading the material you have furnished the committee and meeting with you personally a few days ago, I am impressed with your background. You have extensive experience with avionic systems, tactical and unmanned aerial vehicle systems. In fact, since you finished your graduate education in 1970 with a master of science in mechanical engineering and a master of science in electrical engineering, you have spent most of the intervening years involved in avionics and surveillance systems, I believe. Obviously, your experience in these areas will prove extremely useful to the Air Force and will equip you well to deal with Air Force acquisition problems. It creates some difficulties as well, however, and I will need to ask you some specific questions in this area during today's hearing.

For now, however, I would like to alert you to the fact that exceptional performance in the position for which you have been nominated is essential to our Nation's defense. The purchasing of the equipment that our young men and women will use in combat is extremely important. It must be the best equipment possible so that America's military forces have the best chance of survival and winning in future conflicts.

At the same time, it must not break the taxpayers' financial backs. There have been too many systems purchased for our Armed Forces that end up costing too much. If confirmed, you would bear the responsibility of making certain the Air Force gets only the best at a reasonable cost to the American public. It is the taxpayers' money. We are only allowed to spend it in a reasonable fashion for items needed to defend our country.

Again, I want to welcome you to the committee. Other Senators are going to want to make some opening remarks, and then I would like to call on you to give us your remarks.

Senator Warner, would you like to make some opening remarks?

Senator WARNER. Mr. Chairman, at your request I have examined the submissions by the various investigative agencies of the Federal Government and I find nothing in them, in my judgment, that would bear on this hearing other than a positive representation.

Chairman THURMOND. Mr. Money, the time has now arrived for you to give your opening remarks, and we will put your entire statement in the record. If you want to summarize it, you can do that. So, you may proceed.

STATEMENT OF ARTHUR L. MONEY, TO BE ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION

Mr. MONEY. Thank you, Mr. Chairman. Yes, I will summarize my remarks and enter the formal statement into the record.

Mr. Chairman, I would like to express my appreciation to you, Senator Warner, and the staff members of Congress for the opportunity to appear here before you today as you consider my nomina-

tion for the position of Assistant Secretary of the Air Force for Acquisition. I am truly excited about the opportunity to serve.

Honesty, candor, timely, and frequent communications have served me well during my 33 years in industry, and this will be my continued approach, if confirmed into this position. My pledge to you is to aggressively and continually work in a strong partnership with Congress. By working together, we can best ensure that the systems and the capabilities that we develop and provide to the warfighter truly do satisfy their needs and at the same time that we collectively accomplish this in the most efficient and affordable manner possible.

I stand ready to serve. I welcome your questions and I look forward to working with you for the betterment of our Nation.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Money follows:]

PREPARED STATEMENT BY ARTHUR L. MONEY

Senators and staff members of the Congress, fellow citizens, and members of the media, I am honored to be here as President Clinton's nominee to be Assistant Secretary of the Air Force for Acquisition. It is with sincere humility that I come here before the Senate Armed Services Committee, fully aware of the responsibilities that I will face if I am confirmed.

I am excited about the possibility of joining the Department of Defense's "acquisition team" as the Air Force's Acquisition Executive. America faces many challenges and maintaining an agile and superior force is essential to respond to these challenges. The environment is ripe for reform, the potential payoffs are great, and I welcome the challenge and opportunity to be a part of this initiative. As you consider my nomination, I would like to present my thoughts on why I believe continued reform is needed and why the opportunity for reform is greater than ever. I will highlight my background and experiences and identify what expertise I can bring to this position. Finally, I will outline for you what I envision as my priorities and challenges, should I be confirmed.

The Department of Defense is currently engaged in an active and viable reform effort. Both the Department of Defense and industry are changing their ways of doing business as they work to satisfy the warfighter's requirements. While the implications and results of these "reforms" are far-reaching, the bottom line is that weapon systems will be developed and delivered "faster, better and cheaper."

Last April, my predecessor, Mr. Clark Fiester, and seven military professionals, died in a tragic plane crash in Alabama. Mr. Fiester was traveling to communicate his commitment to accelerate reforming policies and practices. Mr. Fiester, in coordination with Secretaries Perry and Widnall, and Under Secretary of Defense Kaminski had, for more than two years, embarked on the most far reaching acquisition reform efforts the Department of Defense has ever undertaken.

I want to assure you that I am committed to fulfilling this initiative started by Secretary Perry. If confirmed, I will aggressively work to further these reforms, to improve management and execution of acquisition programs, and to build the foundation for future modernization. From my perspective in industry, I have observed how DOD and Air Force reform is making an impact. Some examples are:

1. Reduction of regulatory contradictions and conflicting directives;
2. Elimination of excessive specifications and burdensome oversight; and
3. Turning adversarial relationships into a spirit of cooperation and teamwork within the Air Force, DOD, and industry.

The Air Force and industry are evolving new practices, and are learning and teaching each other in a consultative, cooperative environment. This is new . . . it is encouraging . . . it has the potential to transform both the DOD and industry.

In a recent speech to the American Defense Preparedness Association, the Air Force Chief of Staff General Fogleman said that the long-standing concept of the "Total Force" must be expanded to include industry as an equal partner in our cooperative effort to "provide for the common defense" of America. I am confident I can contribute to this effort where the Air Force and industry provide breakthrough technology and more affordable systems that Congress, the public, and the defense leadership require of us today and in the future.

The Defense Department has recognized the need to change and adapt in response to a "shift of paradigm" in military thinking. In 1993, Secretary Perry mandated immediate and far-reaching changes in our acquisition policies and practices to respond to the changing world and national environment. This past summer the Air Force formalized its initial contribution to the DOD procurement policies called for by Secretary Perry. These initiatives are called "LIGHTNING BOLTS" and are eliminating entire books of regulations, establishing leaner, simplified contracting practices, and rightsizing the acquisition workforce. So, the time and environment are right and the complexities of our ever changing world make it crucial for the reform effort to continue.

Now, let me briefly describe for you the skills, abilities, and perspective that I will bring to this position if confirmed. I have been at the forefront of technological developments in satellite and missile programs. I have spent over 33 years in the defense business as a manager and engineer researching technology and working to design, analyze, build, and operate space, missile and C3I. I have also developed signal processing techniques for complex sophisticated airborne and space systems. I have broad experience, ranging from working in engineering departments and laboratories to business development and strategic planning.

Recently, I was President of ESL, a defense electronic company—a wholly owned subsidiary of TRW. I managed programs involving advanced electronics for reconnaissance systems. I enjoy the challenges of the defense business, developing dual use technology and interacting with American industry. It has been a career of consuming and passionate rewards.

I have considerable experience working DOD, joint, and Air Force programs. I have also had the privilege of serving for the last 15 years as a member of the National Security Agency Scientific Advisory Board. I feel I know the issues, the industry, and the technology. With this experience, I will quickly and smoothly transition into the DOD as the Air Force Acquisition Executive and make positive contributions as a member of the DOD and Air Force senior leadership team.

If confirmed as the Air Force Acquisition Executive, I will focus on three major areas. First, my charge from Secretary Perry, Secretary Widnall, Under Secretary Kaminski, and General Fogleman is specific—to rigorously analyze Air Force long range strategic planning to prepare the Air Force for the 21st century while creating and forwarding the acquisition reform actions. We must identify the systems and technologies we need to acquire for a variety of circumstances we may face.

The Defense Department's acquisition reform strategy has grown out of not only the intense budget constraints, but from a much broader strategic analysis. We are conscious of a variety of global issues and a need to continue improving industrial partnerships. The world is changing and the Air Force must evolve to address these challenges.

As the acquisition corps is downsized, we must enhance the capabilities and competence of all those who remain. Therefore, my second priority is to upgrade the education and skills of Air Force acquisition personnel. The Air Force must recruit and retain personnel at all levels and provide them with continuing education. Personnel must evolve and adapt as the missions and systems they operate evolve because they will be asked to continue to do more with fewer people and resources. The Air Force needs a strategic plan to meet that requirement of increased productivity to become more efficient in technology and human operations of that technology.

On September 27, 1995 Under Secretary Kaminski signed the DOD Space Architect Implementation Plan. The Air Force is the lead agency for multi-user space architecture with the Air Force Acquisition Executive responsible for interfacing with the Services, other DOD agencies, and the Office of the Secretary of Defense. Thus, my third priority is to ensure that the Defense Department space architecture integrates space systems, eliminates duplication, and provides flexible and robust systems to satisfy the needs of the nation and the warfighter. I will therefore immediately focus on this task if confirmed.

Finally, I would like to emphasize a personal guiding principle that is also consistent with Secretaries Perry and Widnall, Under Secretary Kaminski, and General Fogleman—Integrity. The word implies personal character and honesty in action and speech. Military plans and operations, as well as modernization activities, are all complex and each are absolutely dependent on truth in order to be successful. Leaders cannot wisely decide without accurate and timely information; scientists and engineers cannot design properly without clear requirements and unambiguous objectives; and citizens cannot support the military if they are not informed. It is my intention to work with the Air Force, DOD, industry, and Congress in a spirit of absolute candor. I will keep you informed with the good news and the bad as we work together to prepare the Air Force for the future.

President Clinton has honored me by this nomination. The current multifaceted plan to renew America through increased education, enhanced trade, reindustrialization, strengthened alliance, economic growth and prudent defense priorities is in fact a "National Security Strategy." I fully support this strategy and will work to make the Air Force acquisition community an integral part of achieving it.

We all are uncertain of the future: how new technology will transform our lives; what threats we will face, or what challenges human folly may create. Despite these unknowns, what is certain is the fact that we must make careful choices and implement them with an efficiency as never before. Secretary Perry mandated that we prioritize and invest in research before moving too quickly to production. This requires a long range vision and clear strategic planning. I can provide the acquisition leadership needed to guide the Air Force into the 21st Century.

I am truly excited about the opportunity to serve. My pledge to you is to aggressively and continually work in a strong partnership with the Congress. I see this relationship as key to the success of Air Force modernization efforts. By working together, we can best ensure that the systems and capabilities that we develop and provide to the warfighters, truly do help to satisfy our National Security Objectives, and that we accomplish this task in the most efficient and affordable manner possible.

I stand ready to serve, welcome your questions, and look forward to working with you for the betterment of our Nation.

Chairman THURMOND. I understand you have spent some time in the Pentagon as a consultant since being informed of your nomination. I need to ask you a series of questions that we ask all nominees who appear before the committee when they have been consultants. Would you please give me a clear and concise answer to each question?

First, what position in the Department of Defense have you occupied prior to today and what were your duties in that position?

Mr. MONEY. Yes, sir, I would be glad to answer that. Since October 20, the day after my nomination came out of the White House, I have been an unpaid consultant to the Air Force solely for the preparation of this hearing and the position that I will assume if confirmed.

In July of this year, Dr. Perry asked me to be an observer on the Defense Science Board to assess the support needed if we have ground troops in Bosnia. That activity was primarily based on my expertise in industry in the intelligence systems that we have at our hands today and then how to get that information in real time to our ground forces.

Since 1980 I have been an unpaid consultant to the National Security Agency. I have been on their Scientific Advisory Board and the Chairman of the Signal Exploitation Panel and other panels since 1980.

During the early 1970s and 1980s, I have been the unpaid consultant to various ad hoc committees for the DOD, Navy, Army, and Air Force and other U.S. Government agencies.

I served in the Armed Forces in the Army in 1957 and 1958 and was in the reserves until 1961.

Chairman THURMOND. Second, have you adhered to the applicable laws and regulations governing conflicts of interest?

Mr. MONEY. Yes, absolutely.

Chairman THURMOND. Third, have you made any authoritative decisions or provided authoritative guidance?

Mr. MONEY. No, none.

Chairman THURMOND. Fourth, have you assumed any duties or undertaken any actions that would appear to presume the outcome of the confirmation process?

Mr. MONEY. Definitely none.

Chairman THURMOND. How long have you known Secretary of Defense, Dr. William Perry, and what has been your relationship with him in the past?

Mr. MONEY. I first met Dr. Perry in late 1970. I came to work for his company, ESL, in late January 1972. I worked directly for Dr. Perry between 1972 and 1977, at which time he left ESL and became the DDR&E under Harold Brown in the Carter administration.

After he left the government in 1980, he came back as a consultant to TRW. During that time frame, ESL was bought by TRW. I had fairly frequent conversations with him, roughly four times per year. He also came back and was appointed to the NSA Scientific Advisory Board, so I had interactions with him during that time-frame as well.

I have seen him roughly four or five times a year during that timeframe. When he came back to the government as the Deputy Secretary of Defense and since that time, I have seen him roughly quarterly until he asked me to take on this position, and since that time I have seen him roughly every 2 weeks.

Chairman THURMOND. I believe you are currently employed by TRW?

Mr. MONEY. Yes, sir.

Chairman THURMOND. Would you please describe the steps you have been advised to take by government ethics officials to ensure that there is no conflict of interest between your financial interest in TRW and your position with the Air Force, if you are confirmed?

Mr. MONEY. Yes. I have been advised if I am confirmed, and I have accepted this, to totally and absolutely sever all interest with TRW. I am prepared to resign at the moment that I am confirmed. I then will retire from TRW.

The various steps that I have taken to ensure that there is no conflict of interest are since I have been asked to take this job by Dr. Perry and Dr. Kaminski in the July timeframe. I have delegated and hence have done no TRW-DOD business since that time. I have consulted with TRW on two occasions since then. Both had to do with organizational and personnel issues in the company that I came from.

I have taken or will take out a surety bond against the non-qualified portions of the pension to further ensure there is no conflict of interest.

So, Senator, I feel I have done everything to totally sever any relationship with TRW and consequently will have no conflict of interest.

There is one other issue. I have 300 shares of stock that I will sell, if confirmed, as well.

Chairman THURMOND. What actions, if any, will you take with respect to TRW matters during your period of government service?

Mr. MONEY. I follow the Office of Government Ethics regulations and disqualified myself for 1 year relative to any TRW actions.

Chairman THURMOND. You were an employee of Lockheed from 1962 to 1972. Do you have any continuing financial interest in Lockheed? If so, what advice have you received from government

ethics officials about any actions you might take with respect to Lockheed?

Mr. MONEY. I have no financial interest with Lockheed. I am eligible to receive a very small pension in 10 years when I become 65 and in that context I have been advised to again take out a surety bond against that very small pension and I am willing to do so.

Chairman THURMOND. Aside from Lockheed and TRW, do you have any other financial interest in defense contractors? If so, how do you plan to address any conflicts of interest issues?

Mr. MONEY. I have no other financial dealings or interests with any other defense contractor.

Chairman THURMOND. Have you made any future arrangements to return to TRW, Lockheed, or any other company doing business with the government?

Mr. MONEY. No, none at all.

Chairman THURMOND. In a recent article concerning your nomination, the author claimed officially TRW is listed as the Pentagon's 18th largest contractor with \$848 million in contracts, but billions more are funneled to the firm through the Air Force budget making it one of the top 10 Defense Department contractors, according to senior defense officials. Do you know anything about this statement, and do you know how billions could be secretly funneled to TRW or any other corporation?

Mr. MONEY. I do not know the validity of this statement. I do know—and being the President of ESL, a wholly owned subsidiary of TRW—that there are other funds that come into the company from other portions of the DOD budgets, most of which are classified, some from the intelligence community, but I believe that there are no funds that are flowed through or funneled through the Air Force budget.

Chairman THURMOND. Senator Nunn.

Senator NUNN. Mr. Chairman, I think you have asked most of my questions on the potential conflict of interest side of the equation.

I think Mr. Money comes with a significant amount of great experience in the defense industry. When you have someone who comes from that background, you always have certain conflict questions that arise. On the other hand, if you decided you were going to try to avoid all those problems, which we are working out here, then what you are doing is deciding you do not want people with defense experience handling the biggest and the most important budget resources in the country. Indeed, you need people with defense experience so that we make sure we get the best technology for those folks out in the field who are willing to risk their lives to protect this Nation's security.

So, I think Mr. Money comes very highly recommended and with a great deal of background. I assume that all of his potential conflict problems in answer to your questions are being answered and worked out.

I do have one or two substantive questions. Mr. Money, in your prehearing questions on acquisition streamlining you indicated, quoting you, "Legislative relief is necessary for these efforts to be successful." Do you have in mind particular legislative steps?

Mr. MONEY. There are several, Senator, that come to mind, and frankly I will defer that. Secretary Kaminski is putting together a collection of such statutes, and I believe that will be brought over to you all here in the next month or so. So, there are some areas of relief or changes that we will be looking for, but I will defer that until he appears before you.

Senator NUNN. I understand your desire to do that. I also would like to get your personal view about what you believe generically speaking needs to be done. I am not asking for particular legislation, but just what kind of broad areas do we need to make changes in?

Mr. MONEY. I think the broadest area that will help both the industrial base as well as streamlining acquisition is that we do more than 1 year at a time funding. I believe there are some issues relative to multi-year funding that we could work out, both of those with Congress, as well as with the Pentagon itself. So, that is the first thing that comes to mind that would be the greatest help in streamlining acquisition, that we could plan further than 1 year in advance.

Senator NUNN. Would a 2-year budget, meaning a 2-year appropriation as well as authorization, be of help?

Mr. MONEY. Certainly. It would be better than where we are today. The further out we can plan multi-year procurements and the stability so we can then guarantee that into the contracting community to the industrial base will help them schedule what they need to do. This will help the Air Force, and for that matter the DOD schedule, with what they need to do, and offer greater stability. So, anything longer than 1 year would be welcome. Two years would be a great start.

Senator NUNN. Are you familiar with the Joint Advanced Strike Technology program—the JAST program?

Mr. MONEY. Yes, sir.

Senator NUNN. Recent press reports indicate the commander of the Air Combat Command, General Ralston, has stated the Air Force requirements for replacing the F-16 and the Navy requirements for replacing the A-6 bomber have led to incompatible requirements for the JAST program. Do you have any judgment on that at this time?

Mr. MONEY. No, sir. I have received some informational briefings. I have not gotten into any programmatic briefings. I believe that program is so early on, that over the next year or so, we will get down to the specifics that are needed and we will sort those questions out. So, I do not have a definitive answer for you today.

Senator NUNN. The Air Force has decided to outfit air-to-air fighters with data links to increase their situational awareness but, as I understand it, has taken no action to outfit air-to-ground aircraft like the F-16s with these data links. If these fighters are going to contribute effectively to any future major regional contingency and work effectively with the JSTARS aircraft systems, it seems to me that the air-to-ground aircraft also need such data links. Do you have any judgment on that?

Mr. MONEY. No. I agree with you, Senator. I do not know the specifics of this and I will look into it when I am confirmed, or if confirmed.

Senator NUNN. Mr. Money, there have been a number of press articles about the Soviet disinformation campaign growing out of some of the CIA's problems that may have led our weapons development process to faulty conclusions about which weapons we should be developing and how we should be developing them. Have you been briefed on the Department's damage assessment in this area?

Mr. MONEY. No, sir, I have not. The Chief of Staff of the Air Force, as well as just today, I believe, the Deputy Secretary of Defense, have asked for a total investigation, and I believe we have about a month's time frame to come back to you all on what is the damage assessment of that. So, I do not have any specific knowledge.

Senator NUNN. Would that be in your area of responsibility when it does come back?

Mr. MONEY. Yes, sir.

Senator NUNN. Who is carrying that out for the Air Force?

Mr. MONEY. I believe for the whole DOD it is General Minihan from the Defense Intelligence Agency who is doing that assessment.

Senator NUNN. So, it is being done at the DOD level.

Mr. MONEY. Yes, sir.

Senator NUNN. Being worked under DOD and the Air Force?

Mr. MONEY. Yes. When I met with Arnold Punaro, he asked that question and I specifically asked the Air Force about the F-22. That information will come back in that report.

Senator NUNN. Thank you, Mr. Chairman. We look forward to working with you.

Mr. MONEY. Thank you, sir.

Chairman THURMOND. Senator Warner.

Senator WARNER. Mr. Chairman, I too have examined carefully the very distinguished credentials and record of achievement that you had, and I think the country is fortunate that you are willing to step forward and serve.

Mr. MONEY. Thank you, sir.

Senator WARNER. Do you have members of your family here this morning?

Mr. MONEY. Yes, sir. My wife is here.

Chairman THURMOND. They have been introduced.

Senator WARNER. Oh, I see. Thank you very much.

I would like to pick up on the 22 program. I have expressed my concerns about the concurrency issue here. According to the F-22 plan, the Air Force will commit to low rate initial production quantities that increase from four aircraft a year to 36 year, and that is an 800 percent increase, totaling 80 aircraft for completion of operational testing. Production of 36 aircraft a year under the LRIP represents a 75 percent of the planned full production rate.

What would your recommendations be to the Secretary of Defense and the Secretary of the Air Force and Congress to explain why these quantities are over the 10 percent which is the philosophical goal established by the LRIP?

Mr. MONEY. Senator, this program has been looked at several different ways. Recently the Defense Science Board has looked at the concurrency issue relative to doing LRIP, Low Rate Initial Pro-

duction, before the completed OT&E testing. This is not any different than what we have done in the past, and if the assessment today is to meet the requirement to get enough aircraft into the operational commands by the year 2005, this is in fact the plan we need to proceed ahead with.

If confirmed, what I will assure you is if there are any glitches, any problems, in the production or in the development of the aircraft, it is an event-driven program, so we will slow down or stop things if we feel we are not ready to go forth with it. But today the plan is we will go into LRIP at the same time we are going through the OT&E phase.

Senator WARNER. I am troubled by your statement, Mr. Money, this is what we have done in the past. That is precisely what Congress in its judgment thinks should not be done, namely, to continue what we have done in the past.

In other words, let us be a little cautious here. We have to take different approaches to procurement to avoid these enormous cost overruns. If there is one thing that I have learned in my years here on Capitol Hill, it is the lack of confidence instilled in the American public when they read the stories about the enormity of cost overruns and waste, fraud, and abuse associated therewith.

I know from my own service in the Department of Defense, persons like yourself who come from the private sector approach this in a very conscientious way with the intentions to do their very best, but nevertheless, the past has shown repeated problems associated with high levels of concurrence. This program, in my judgment, has one of the highest that I have witnessed in many years, and this concerns me.

Mr. MONEY. I appreciate that, Senator.

My position on this, if confirmed, is to assure you that we will deliver this program for what we are stating this program to be today. If there are going to be problems, I will bring those forth to you. Since it is an event-driven program, we will stop LRIP if we are not ready to go forth with it. But today the plan is—and we are meeting those hurdles—to proceed ahead. I believe this program will have a smaller amount of LRIP going on than previous programs, but nevertheless to get it into the force structure by the year 2005, this is the plan that we have today.

Senator WARNER. There were reports of cost overruns in this program in September. The program was said to be “suffering from a deteriorating cost performance,” which could result in an overrun of over \$500 million. Do you have any late information on the final figure for the overrun?

Mr. MONEY. No, sir. I have not gotten any programmatic briefings on this program or any other program in the Air Force. It has been informational only. So, if confirmed, I will look into that as one of my highest priorities.

Senator WARNER. We also read where the C-17 program will now be augmented to go to an additional 80 aircraft. As far as I know, it is a very capable aircraft and one badly needed by the U.S. forces. There is some thought that it might be utilized in such future operations as the President may authorize for Bosnia. What is your information about the live fire tests of that aircraft?

Mr. MONEY. The aircraft passed in flying colors all its operational tests and development tests just recently, and the information I have is it is able and ready to go. The Chief of Staff of the Air Force has indicated that if we deploy troops to Bosnia, that it will be used, and from everything I understand, Senator, it is ready to go.

Senator WARNER. Mr. Money, you have a rather extensive background in the defense industry, including both Air Force and intelligence programs. I must assume that there will be occasions on which you will have to recuse yourself from decisions involving programs with which your former employer was either previously involved or would prospectively be involved. Would you care to comment on that? I think you have covered much of it with the Chairman.

Mr. MONEY. Yes, sir, but I will be glad to reiterate that. I will follow the Office of Government Ethics regulations and recuse myself of any dealings with TRW for 1 year based upon the date of my resignation.

Senator WARNER. And that, of course, applies to both the DARO programs, especially in the areas of signals intelligence and SIGINT and so forth?

Mr. MONEY. Everything that enters into the Air Force acquisition portfolio, yes, sir.

Senator WARNER. Thank you very much. Mr. Chairman, I thank you for the opportunity.

You have my support. I wish to be recorded in the affirmative at such time as the committee takes a vote.

Mr. MONEY. Thank you, Senator.

Chairman THURMOND. Mr. Money, for the Air Force to meet the challenges of the 21st century, it is imperative that there be a proper balance in the Air Force budget among the research and development accounts and the accounts supporting the procurement of new systems. What is your view on the state of the current balance?

Mr. MONEY. The science and technology money in the Air Force has been fairly constant over the last several years. One of the things I will do, if confirmed, is to reinvestigate and make sure that we are in fact investing in defense-peculiar or defense-unique technologies. The plan, Dr. Perry's mandate—I totally support that—is to acquire things commercially. However, there are a few things that are not available in the commercial market that are in fact defense or military-unique, and that is where we will put the S&T money, and R&D money, into those areas. So, I assure you that there will be a balance between the defense-unique monies and then what we can do in buying from the commercial area.

So, Senator, I will assure you that there is going to be a balance there and that the latest mandate out of Dr. Perry is in fact to ensure that we are investing properly in research and development areas, so we will have the military-unique research available for us when we need to acquire future systems.

Chairman THURMOND. If you are confirmed, what steps do you intend to take to ensure that we have sufficient, robust funding in technology programs to guarantee the long-term technological superiority of Air Force systems?

Mr. MONEY. Yes, sir. The answer to that question is I will relook at all the science and technology R&D investments that we have going on in the Air Force—principally that occurs in the various Air Force laboratories—to assure you that we are investing in the future requirements that we need for future systems. Those types of things today are in aging aircraft, how to take multiple sources of information and fuse them for the pilots, those kinds of things which are fairly military-unique. We will proceed ahead with that, and I will assure you there is going to be a proper balance there so we will have those systems available for us when we need to develop them.

Chairman THURMOND. Mr. Money, recent acquisition reform efforts presume that we will have sufficient numbers of skilled acquisition management personnel to use effectively streamlined commercial practices for the acquisition of goods and services for the Defense Department. How would you characterize the state of the Air Force acquisition and its ability to meet the new challenges in acquisition management?

Mr. MONEY. I have been very impressed with the quality of the people that are in Air Force acquisition. However, there are a few areas that I think and, if confirmed, I will make a high priority, and those are increasing the competency of program management and across the board becoming more aware of what is available in the commercial marketplace. I see those as two areas that we can improve upon immediately.

Chairman THURMOND. If confirmed, what initiatives do you plan to implement to increase the ability of the Air Force acquisition work force to cope with the changing environment of acquisition management?

Mr. MONEY. I believe the competency of the program management force is one that will increase and improve. Managing multifaceted programs that have a defense-unique military area coming out of the research areas, as well as incorporating commercial areas, is going to tax program management more than it has in the past, and that is where I see a major improvement is needed. That is where we will put some investment and time.

Chairman THURMOND. Mr. Money, are you familiar with the discussion of the so-called revolution in military affairs based on the new potential of emerging informational technologies?

Mr. MONEY. No, sir. Can you read it again? If you would read it again, sir.

Chairman THURMOND. Are you familiar with the discussion of the so-called revolution in military affairs based on the new potential of emerging informational technologies?

Mr. MONEY. Yes, sir. The whole information technology area is, as you just pointed out, in a revolutionary stage. It is not evolving; it is in a revolutionary stage advancing extremely fast. Every 18 months or so we have a new state-of-the-art system or generation of systems to contend with.

Information dominance is becoming a cornerstone of the Air Force future power projection, and information technology relative to that is going to be very important. We will continue to invest in that.

This is part of the area I mentioned earlier when I say being more aware of what is available in the commercial marketplace is essential in this area.

Chairman THURMOND. What is your assessment of the likelihood of a revolution in military affairs based on new technologies, and how will this revolution affect Air Force acquisition programs?

Mr. MONEY. If confirmed, one of my principal jobs is to ensure that the acquisition reform areas go forth. The major portion of that acquisition reform area is in fact buying commercial products. So, again, the awareness of those products, what is happening in the commercial marketplace relative to information technology, is all part of all that. So, what we are aware of and how we can incorporate that into our programs in the future is absolutely essential, and that is where we will put some time and effort to assure us that the competency of the Air Force acquisition personnel is adequate to meet that challenge.

Chairman THURMOND. Mr. Money, the Advanced Research Projects Agency has made significant progress in establishing cooperative arrangements between the DOD and industry for the development of technologies that may have commercial as well as military applications.

How would you characterize the Air Force approach to similar arrangements with industry? If confirmed, what steps do you intend to take to use current authority and law to seek cooperative R&D arrangements with the private sector?

Mr. MONEY. The Air Force has followed much along the same lines as what ARPA has done in the past. We will continue to do this. We will encourage industry to invest their independent research and development money in areas that will help us by having an open dialog with industry, telling them what our needs are, what we intend to do so that they can also then develop the systems that we can eventually acquire. So, I see that as very important and cooperation there with industry is very important to us.

Chairman THURMOND. Those are all the questions I have. I think you are well-qualified to fill this position. I will be glad to support you, and I hope we can get the committee together soon to act on your confirmation.

Mr. MONEY. Thank you very much, Senator.

Chairman THURMOND. You are now excused.

Mr. MONEY. Thank you.

Chairman THURMOND. The committee is adjourned.

[Whereupon, at 10:35 a.m., the committee was adjourned.]

[Prepared questions submitted to Arthur L. Money by Senator Strom Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

Question. More than six years have passed since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms. Implementation of the act was envisioned to be a slow process, Admiral Crowe estimated at the time it would take about six years for the act to be fully implemented. Do you support full implementation of these defense reforms?

Answer. I wholeheartedly support full implementation of the Goldwater-Nichols Act.

Question. What do you consider to be the most positive accomplishments of the legislation?

Answer. One of the most positive accomplishments of the legislation was establishing the clear delineation of acquisition and operational requirements responsibilities within the DOD. This has provided a single chain of command needed for improving acquisition program management and execution, and for accelerating acquisition reform initiatives today.

Question. What is your view of the extent to which these defense reforms have been implemented thus far?

Answer. The vast majority of actions noted in the legislation have been implemented, and I believe the spirit and intent of the legislation continues to flourish and has had, and continues to have, a positive impact on the Air Force.

Question. Do you have any plans for further action to ensure fuller implementation of these defense reforms with respect to acquisition matters?

Answer. If I am confirmed, one of my top priorities is to continue the reform activities already underway in the Air Force and DOD. These activities are streamlining the acquisition process and chain of command thereby strengthening program management and execution. I am confident that there will be process improvements leading to increased efficiencies and I am committed to institutionalizing the processes and implementing the improvements.

Question. The recommendation of the Packard Commission and the Defense Management Report resulted in the revision of numerous Department of Defense Directives and policies related to the acquisition process. Please describe the acquisition reforms recommended by the Packard Commission and the Defense Management Report (DMR) with which you agree and those with which you disagree.

In your judgment, what elements of the Packard Commission and DMR recommendations have not been fully implemented?

Which elements of the Packard Commission and DMR recommendations should receive priority attention in terms of achieving full implementation?

Answer. All of the recommendations have merit. The value of the recommendations depends on where you sit in industry or the government. I believe the most valuable of these acquisition reforms has been the streamlined acquisition chain of command for the DOD and the use of commercial products for industry—benefiting all.

A Quest For Excellence recommended increased use of multi-year procurements which was not enacted into law. Development and implementation of multi-year procurement policies is important because it provides increased program stability and significant cost savings. Program stability also allows programs to be executed with smaller workforces because changes created by budget instability are reduced. This is important today as both the government and contractor communities are reducing their acquisition workforce.

Funding instability in major programs can distract the management attention of program managers and disrupt many of their program plans. That is an area which can still be improved. If confirmed as the Air Force Acquisition Executive, I will pursue these efforts and offer my experience and expertise to further improve the acquisition process within the Air Force started by the Packard Commission and the DMR and with Congress. I believe it is crucial to our national defense, and plays a critical part in the economic well-being of our Nation.

DUTIES

Question. Section 5016 of Title 10 United States Code, provides that the Assistant Secretaries of the Air Force shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe. What is your understanding of the duties you will perform and the powers you will exercise as the Assistant Secretary of the Air Force for Acquisition?

Answer. The responsibilities of the Assistant Secretary of the Air Force for Acquisition fall into two broad areas: policy and execution. The Assistant Secretary handles the formulation and implementation of broad Department of the Air Force policy for all Air Force research, development, and acquisition programs. The Assistant Secretary is also responsible for programmatic oversight for the management and execution of all Air Force research, development, and acquisition programs including joint programs for which the Air Force is executive agent within the DOD.

In addition to these policy and oversight responsibilities, the Assistant Secretary is also responsible for management of the scientific and technical infrastructure; implementation of the Defense Acquisition Workforce Improvement Act; liaison with

the users and warfighters; liaison with the Office of the Secretary of Defense, other military services, other Executive Branch Departments, Congress, foreign nations; support of the acquisition aspects of the Planning, Programming, and Budgeting process; the Senior Procurement Executive (SPE), and Head of Contracting Activity (HCA) for Air Force programs.

Question. What background and experience do you possess that you believe qualifies you to perform these duties and those outlined in the law and applicable DOD directives?

Answer. I have over 33 years experience in defense industry working on a variety of defense acquisition programs which was highlighted in the biography included in my confirmation package. I dealt with government rules and regulations. I believe I have an understanding of what is good for both DOD and industry and what works. I have 15 years of executive program oversight responsibilities, in addition to being responsible for strategic planning and rightsizing. This first-hand experience can aid the Air Force as it streamlines and reforms its acquisition process and workforce. Acquisition reform is very important to this administration and I believe my corporate experience will greatly aid the reform process as the Air Force adopts commercial acquisition practices.

Question. Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

Answer. I believe I am professionally and technically prepared to assume the duties of the Assistant Secretary of the Air Force for Acquisition. I expect to be aided in my duties by the strong leadership team that currently exists within the DOD, the Air Force, and the Assistant Secretary's staff. I look forward to the challenge of the job and will seek advice and counsel from those who have preceded me.

MAJOR CHALLENGES

Question. In your view what are the major challenges confronting the next Assistant Secretary of the Air Force for Acquisition?

Answer. There are several challenges facing me should I be confirmed as the Assistant Secretary of the Air Force for Acquisition. These challenges include: to institutionalize the Air Force's acquisition reform activities; to guide the drawdown of the Air Force's acquisition workforce; and to maximize investment opportunity by harnessing technology to satisfy the warfighters' needs cheaper, better, and faster. In addition, technology investment decisions need to be based on the Air Force vision and consistent with the warfighters' future needs.

The most pressing challenge is to institutionalize OSD's and the Air Force's continuing efforts in acquisition reform. Secretary Perry, Under Secretary Kaminski, Secretary Widnall, and my predecessor, the late Mr. Clark Fiester, made significant strides in reforming the Air Force's acquisition policies and procedures. The Air Force has a tremendous amount of activity going on in the area of acquisition reform—they are producing results. I'm fully committed to strengthening and forwarding work in this area.

The Air Force has been out in front with implementing Integrated Product Teams and Integrated Process Teams. This approach brings together the offices and agencies that are responsible for program oversight into a cooperative philosophy, thereby taking advantage of the insights and skills of these "overseers" to help resolve issues as they occur before they become problems. By doing this, the Air Force is making the oversight process value-added by providing emphasis on how to make programs better, or to fix program issues, rather than just fixing the blame.

Another challenge is to guide the drawdown of our acquisition workforce. Key tenants of acquisition reform are streamlining government's oversight of the contractor and the headquarter's oversight of the program offices, and to select proven, quality contractors. The overall size of the acquisition workforce can be reduced. My challenge is to ensure the Air Force retains the right expertise within its program offices and staffs and they have the necessary tools to efficiently and effectively execute the Air Force's acquisition programs. I will also work with the other service Acquisition Executives and the Undersecretary of Defense for Acquisition and Technology to minimize duplication and redundancies across all DOD agencies to ensure that DOD retains the right expertise, staff, and tools to effectively and efficiently execute the total DOD mission.

With smaller force structures and budgets, the military must rely on technology as a force multiplier and enhancer. History has shown that technology allowed our warfighters to function and adapt in a dynamic environment and prevail over our enemies. Today, America's weapon systems must harness the best technology available—whether developed in the commercial or the defense sector.

Question. Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer. My challenge is to create an environment where acquisition reform becomes "business as usual." Through teamwork and communication, the Air Force needs to share lessons learned with anyone interested whether working inside or outside the DOD. In addition, proven reform initiatives must be incorporated into on-going programs, as appropriate. Strategic planning is also an important part of this to ensure acquisition programs plan for the future to incorporate and respond to both evolutionary and revolutionary technology change. Improvements in training and competence for program managers in new business processes and practices, brought about by acquisition reform, is also a high priority.

MOST SERIOUS PROBLEMS

Question. What do you consider to be the most serious problems in the management of acquisition functions in the Department of the Air Force?

Answer. As I mentioned previously, the biggest challenges I would face as the Air Force Acquisition Executive, if confirmed, are institutionalizing the acquisition reform efforts, guiding the acquisition workforce drawdown, and assuring the competency of the acquisition workforce. The need to deliver superior weapon systems to the field faster, better, and cheaper is more important today, and for the foreseeable future, than at any time in the past. We are only now starting to see the fruits of all the hard work and effort of the many skilled and professional people in both government and industry. We need to capitalize on these successes and share them with other programs within the Air Force, the Department of Defense, other government agencies, and with a broader industry base.

Question. What management actions and timetables would you establish to address these problems?

Answer. The senior leadership in the Office of the Secretary of the Air Force for Acquisition has done a superb job in implementing OSD's and the Air Force's reform initiatives. I believe they are headed in the right direction. The results are positive. The pace appears right. If confirmed, I will maintain the momentum of all on-going reform initiatives and immediately begin a strategic planning effort to identify additional areas ripe for reform and streamlining. In doing this, I anticipate a smooth transition into my new position. I look forward to working closely with the dedicated group of professionals in the Air Force, the Office of the Secretary of Defense, in industry, and Congress to reform today's acquisition policies and processes.

ACQUISITION STRATEGY

Question. In 1993, the Defense Department announced a new acquisition strategy, which called for the use of prototyping for new systems, for product improvements instead of new production, and for production of new systems "only when the technology and associated subsystems are thoroughly tested and proven; the technical production and operational risks are significantly minimized; the production is cost-effective; and the absolute need for a new system is verified."

Secretary Aspin, during his confirmation proceedings, described a "comprehensive resource strategy for the future" consisting of four parts: selectively upgrade existing systems; selectively procure existing systems at low rates; "rollover plus"; and "silver bullet procurements". In your view, what are the differences between the acquisition strategy enunciated by Secretary Aspin and those which will be followed by the new Secretary, Dr. Perry?

Answer. Both Secretary Aspin's and Secretary Perry's acquisition strategies for procuring tomorrow's weapon systems focus on satisfying the warfighters' needs with affordable capabilities within today's budget constraints. The Air Force's acquisition approach is consistent with Secretary Perry's mandate. The Air Force is using (1) prototyping as an acquisition tool employing Advanced Concept Technology Demonstrators to get weapon systems into the hands of the warfighters early; (2) upgrading existing weapon systems to meet new threats and mission requirements; and (3) starting new programs only when there is no other way to satisfy the warfighters' needs. For new and upgraded capabilities, production is limited to only what is essential for mission accomplishment.

Question. Will Secretary Perry's strategy require any changes in the budgetary process, management structure, or DOD Directives relating to the acquisition process?

Question. From my industry perspective, Secretary Perry's approach is working well within DOD's current acquisition and budget processes. Of course, Secretary Perry's acquisition reform mandate is streamlining DOD's directives, policies, and

practices. This is resulting in new and upgraded capabilities being delivered faster, better, and cheaper to the warfighters.

FUTURE RESEARCH

Question. In the past the DOD planned its research to meet the sophisticated threats that it saw as a part of the Cold War. What do you see as the model for future DOD research in the post-Cold War environment?

Answer. We live in a world that is increasingly being dominated by regional instabilities and I do not foresee any changes in the future. Although the scope and challenges of future regional conflicts are likely to differ greatly from those in the Cold War, political and strategic considerations will still require that America achieves decisive outcomes. To maintain technological superiority across the full mission spectrum, the Air Force must invest in a broad and balanced set of technology areas, nurture long-term research in high-payoff areas, and position itself to take advantage of oftentimes unpredictable revolutionary breakthroughs. The Air Force must also be knowledgeable of and ready to use technology developed in the commercial sector as well as sharing its technology efforts, as appropriate, with the commercial sector. By closely monitoring technology efforts the services can then transition that technology into fielded weapon systems to satisfy mission requirements.

If confirmed, I will strive to identify trends that we know will be important to reaching the Air Force's goal of providing Global Power, Global Reach, space superiority, and information dominance for America.

Question. How do you plan to focus the research to meet the Department of the Air Force's needs of the future?

Answer. The Air Force has remained steadfast in stressing the importance of quality in its systems and "maintaining the technological edge." Today, the balance of weapons systems available to potential regional adversaries is shifting from quantity to increasing technological quality. With this trend in mind, the Air Force must be able to engage its adversaries on terms favorable to America's fighting forces. This requires a continuing emphasis on technological superiority for aerospace warfighting forces.

While technological advances are important, the affordability of these advances is equally important. The Air Force must find ways to lower costs, and at the same time improve capabilities. Affordability and weapon system effectiveness must be balanced during the decision process. Cooperative sharing of appropriate technologies between the commercial and defense sectors will help achieve this. Decreasing defense budgets, increasing costs, and the decline of the defense industrial base all contribute to the challenge of developing more affordable and capable weapon systems.

If confirmed, I will work to ensure that the research community continues to respond to the Air Force's needs to meet the world's ever-changing technological challenges. I believe the direct link between affordability and effectiveness will allow the research and development community to better focus their efforts in areas where they may expect payoffs for the operational forces.

ACQUISITION STREAMLINING

Question. One of the major concerns of this Committee has been the need for greater integration of commercial and military acquisition policies. This has become an increasingly important issue in view of the defense build-down, which will make it increasingly difficult to meet defense needs from an industrial base composed primarily of defense-dependent companies. The recent report of the Advisory Panel on Streamlining and Codifying the Acquisition Laws, which was established as a result of an initiative by this Committee, contains numerous recommendations to reduce the barriers to commercial-military integration. Have you had the opportunity to review the recommendations of the Panel? If so, what are your views on their recommendations?

Answer. I am familiar with many of the initiatives that were included in the Section 800 Panel report. To achieve true reform of our acquisition processes we need to continue to reduce the barriers to using commercial practices. The Panel's recommendations were an important step in the right direction. As we continue to evaluate our progress in implementing our reform efforts we will likely find other barriers that will also need to be addressed. The Federal Acquisition Streamlining Act of 1994 (FASA) addressed key recommendations made by the Section 800 Panel. I fully support the Department of Defense's acquisition reform efforts. Legislative relief is necessary for these efforts to be successful. Your continued support in this area is greatly appreciated.

INTEGRITY OF THE ACQUISITION PROCESS

Question. What is your assessment of the effectiveness of the laws and regulations governing audit, inspection, and oversight functions with respect to the acquisition process?

Answer. Audit, inspection, and oversight have been essential parts of the acquisition process. Today, these "tools" must be used more efficiently and effectively, by focusing in areas where the risk for potential problems exists and the impact is significant as the DOD reforms its acquisition process. It is important to note that acquisition reform efforts to make the audit, inspection, and oversight process more streamlined must still provide sound management and internal controls to protect the government's security and fiscal interests. The government must recognize that as the government's and contractor's workforce get smaller, audits, inspections, and oversight must become focused. This must be done through insight into contractors' work processes rather than intrusive oversight.

Question. What is your view of the relationship between these laws and regulations and the goals of regulatory streamlining and facilitating the acquisition of commercial products?

Answer. Historically, defense audit, inspection, and oversight requirements imposed on defense contractors have been more stringent than commercial standards. A Process Action Team (PAT) sponsored by the Under Secretary of Defense for Acquisition and Technology recommended implementing more effective and efficient processes while maintaining the appropriate level of oversight. One of the major changes being adopted is increased reliance on contractor self-governance or self-oversight (CSO) for those contractor's who have demonstrated a system of stable, compliant processes leading to performance as contracted. OSD and the services are now working to identify contractor locations where CSO could be tested as a pilot program in conjunction with the Defense Contract Management Command. Contractors' processes, such as ISO 9000, financial and management processes, engineering change proposals, and configuration control board, should be adopted as well. The Air Force will then rely on contractor self-governance with periodic government reviews.

The report also recommended that the DOD Inspector General and the services' audits and inspections be scheduled and conducted in a way to minimize turbulence on acquisition programs. This is also being implemented.

Question. Do you anticipate the need for changes in legislative or regulatory authority?

Answer. Another outcome of this team's report is the Under Secretary's direction for a comprehensive programmatic and legal review of all statutory documentation, reports, and certifications. The goal of the review is to further reduce documentation to only those necessary to manage and oversee programs. Upon completion of the report, the Department shall recommend appropriate changes including elimination of documentation, if necessary.

TESTING

Question. What is your view of the role that realistic testing should play in the acquisition process prior to any decision to enter into high rate production?

Answer. A sufficient amount of realistic testing must be done prior to a full rate production decision. This objective must be balanced by the cost-benefit tradeoff between greater realism in testing versus the incremental costs for further reductions in acquisition risk. An affordable test plan must weigh the risks against the costs of various evaluation techniques, and use capabilities ranging from digital system models, hardware-in-the-loop, computer simulation, and open-air field testing to emulate operational engagements. Testing must include a balanced mix of simulated and open-air range testing to adequately verify the system fulfills the warfighters' requirements, and that the acquisition risk is acceptable at that stage of system development.

Question. Is there potential for savings in both time and money by:

(1) Making greater use of simulation?

(2) Combining simulation with low rate production and testing in the field?

Answer. Simulation offers the opportunity for significant savings before entering low rate production. There is also potential to expedite the acquisition process and produce cost avoidance. In doing this, it must be recognized that computer simulation cannot completely replace actual environments such as the flight test of production representative units in the operational environment. The challenge is to determine the appropriate amount of simulation and field testing with an acceptable level of risk prior to any production decision. If confirmed, I plan to work with the

Air Force, OSD, and Congress to actively pursue increased use of modeling and simulation to appropriately reduce test requirements and avoid unnecessary costs.

TECHNOLOGY BASE

Question. The defense technology base has traditionally provided the DOD with technology for future weapons that has made American military equipment the most modern and most capable in the world. The defense technology base also has served to stimulate commercial development through the spin-off of defense projects into the commercial marketplace. Increasingly, it is also the prime mechanism for spin-on of commercial technology for defense needs. Are you committed to maintaining the growth in the defense technology base?

Answer. Absolutely. Maintaining a robust and innovative defense technological base through sustained investments in basic research, exploratory development, and advanced development is essential to the Air Force's, DOD's, and America's future. Technological superiority must be preserved to support a changing defense posture by developing technologies that are focused on Global Reach and Global Power, and information dominance. DOD's and the Air Force's technology base investments also contribute to America's economic stability through dual-use technologies.

Question. What are your plans for further integration of the defense and non-defense technology bases to further the development of a dual-use industrial base?

Answer. If confirmed, I plan to heighten the Air Force's emphasis on technology transfer, including both "spin-on" and "spin-off" technologies. The DOD, and Air Force in particular, must continue to eliminate military specifications and standards and move toward commercial practices and develop new concepts using more commercial products, when and where appropriate, to replace military specification components and manufacturing processes. These efforts would integrate advanced commercial technology into the forces more rapidly, maximize return on this investment, and provide the best weapons systems to the warfighters.

UNIVERSITY RESEARCH

Question. Research projects in our major universities have been one of the foundations of the defense technology base for many years. In recent years, the funding of university research has led to debates on the use of legislative earmarks and criticism of the peer review process.

What are your ideas for changing the funding process to ensure that grants and contracts are awarded on the basis of merit, while expanding the research base by providing funding to a broad range of institutions rather than the traditional recipient?

Answer. The current funding process supports the concept that grants and contracts to universities should be awarded through competition based on technical merit and a peer review process. This framework provides the best value to the DOD and the highest return on the taxpayers' investment. Clearly, all segments of our nation's colleges and universities must have an equal opportunity to participate in defense research. As defense industries move towards dual-use, it is important that universities and colleges become partners with both defense research organizations and commercial industry. If confirmed, I will continue to seek ways to provide opportunities for competition among a broad class of recipients.

INTERNATIONAL COOPERATIVE PROGRAMS

Question. What is your assessment of the value of cooperative research, development, and production programs with our allies?

Answer. In today's geopolitical environment there is a need to have the capability to conduct joint and coalition warfare. Interoperability between the services and America's coalition partners is vitally important as demonstrated in Operation Desert Storm.

Through international cooperative programs, the Air Force can avoid duplicative research and development costs; obtain access to the best technological capabilities of international partners; and reduce lead time by using United States and foreign commercial or non-developmental items. In addition, the United States and its international partners will strengthen coalition warfighting potential through the deployment of common and interoperable systems that benefit from a more robust support infrastructure. If confirmed, I will continue to support international cooperative programs with appropriate allies that combine increased weapon effectiveness, cost savings, and interoperability.

Question. What are the primary obstacles to more effective cooperation in this area, and how would you overcome them?

Answer. The primary obstacle is the administrative lead time to put an international agreement in place to initiate a program. If confirmed, I will support the Under Secretary of Defense for Acquisition and Technology in his efforts to streamline the process. Another area requiring attention is developing common requirements with our allies. The process to harmonize requirements between the United States and its coalition partners must be streamlined and more timely.

Question. Could cooperation contribute to sustaining our industrial base, especially for those military systems that the United States might like to continue developing or producing at a low rate solely to maintain an industrial base?

Answer. Cooperative research and development programs could contribute to sustaining America's industrial base. The United States must, however, not lose or compromise unique industrial base capabilities critical to its national security interests. Agreements with our allies to co-develop or co-produce a weapon system infuse foreign technologies and money into our programs, lower research and development costs, give United States industry insight into other countries' manufacturing technologies, and increase the production quantities thus lowering unit costs and sustaining the production line over a longer time. Bi-lateral or multi-lateral programs can also sustain our industrial base, provide jobs, further our goals of standardization and interoperability, and contribute to effective coalition warfare.

FOREIGN OWNERSHIP

Question. What are your views on foreign ownership or investment in companies involved in the defense acquisition process?

Answer. Foreign ownership of, or investment in United States defense firms, has existed for many years. Foreign ownership, by itself, does not constitute a threat as long as our national interests are safeguarded. We must ensure our continued access to advanced technology, and that our ability to produce high-quality, affordable defense systems is not compromised.

Question. What criteria should be used in assessing the merits of a foreign acquisition or investment in a U.S. company?

Answer. In cooperation with other government agencies, we need to assess whether foreign ownership of any particular United States firm poses a threat to our national security or economic interests. Security measures would be reviewed for adequacy to prevent inappropriate transfer of technology. If the risks associated with that foreign ownership are unacceptable, and cannot be mitigated through other actions, the United States should oppose the foreign acquisition.

SMALL AND MINORITY BUSINESSES

Question. Please describe your plans for the management of each of the following programs:

1. The Small Business Innovation Research Program
2. The Mentor-Protégé Program
3. The Small Business Company-Wide Subcontracting Test Program
4. Defense Research Infrastructure Assistance for Historically Black Colleges and Universities and Minority Institutions (HBCU/MI)
5. The Surety Bond Waiver Program
6. The Subcontractor Payment Protection Plan

Answer. Each of these programs has provided value to the Air Force. If confirmed, I will work closely with the Secretary of the Air Force and the Chief of Staff to maintain the Air Force's strong emphasis on small and minority business role in the acquisition of new and upgraded weapon systems. At the same time, I will work to streamline the process and minimize the administrative burden on small businesses.

Question. What actions would you recommend to improve the Department's performance in terms of attaining the "section 1207" 5 percent goal for small disadvantaged business participation?

Answer. While in industry, I supported use of small and small disadvantaged businesses. If confirmed, I will continue to support and, as appropriate, expand the use of small and small disadvantaged businesses. If confirmed, I will also conduct a review of all initiatives in place and then identify areas requiring new initiatives to attract and qualify small and small disadvantaged businesses. I will share lessons learned with other parts of DOD and other government agencies.

MODELING AND SIMULATION

Question. The Department, at Congressional direction, has established a central office to coordinate the policies and programs of the Department in the area of modeling and simulation. What role do you see modeling and simulation playing in the Department of the Air Force's acquisition programs?

Answer. Modeling and simulation is a key support tool for acquisition programs. It can reduce costs by exploring the effects of varying technical parameters early in the technology and development cycle without having to build and test actual hardware as is done today. Today, modeling and simulation supports requirements definition; development and evaluation of concepts; and test and evaluation. If confirmed, I will support the continued use of modeling and simulation tools as an integral part of the Air Force's acquisition process and ensure the Air Force's acquisition modeling and simulation efforts are in concert with DOD's efforts.

ADVANCED CONVENTIONAL MUNITIONS

Question. One of the lessons learned of Operation Desert Storm is the importance of advanced conventional munitions in achieving decisive military results in a short period with minimum casualties. Maintaining a wide margin of superiority in munitions technology would therefore appear to be a high priority. Do you believe that there is an appropriately focused program within the Department of the Air Force to achieve this priority?

Answer. Yes, precision-guided munitions (PGMs) capability is one of the Air Force's top priorities and a key element of its future force structure. Looking back, employment of PGMs was key to the quick, decisive victory in Desert Storm. The Air Force has a focused PGM program that improves joint warfighting by achieving a balance between weapon performance and life cycle affordability. If confirmed, I will continue to support this high priority program area.

Question. What goals do you intend to set for improving munitions performance and capabilities?

Answer. If confirmed, I will review the portfolio of PGM programs to ensure they are satisfying the warfighters' needs based on today's and projected threats and scenarios. My goal will be to deliver affordable joint systems that satisfy needs based on cost-performance tradeoffs.

INDUSTRIAL AND TECHNOLOGY BASES

Question. One of the functions of the Office of the Under Secretary of Defense for Acquisition is establishing policies for the maintenance of the defense industrial base. Sections 4211 through 4220 of the Defense Authorization Act for Fiscal Year 1993 established a number of requirements for a process in the Department of Defense for assessing, planning, and overseeing programs for maintaining critical industry and technology capabilities. What is your assessment of the effectiveness of the process established by these statutes for maintaining critical defense industrial and technology base capabilities?

Answer. I support the objectives of this law. The Office of the Secretary of Defense has initiated a number of industrial and technology assessments as part of an industrial base review to identify and analyze industrial concerns and to incorporate them into budget and program decisions.

Question. What specific strategies are needed to ensure the preservation of essential capabilities during the current defense spending reductions?

Answer. Fiscal reality requires concentrating on retaining endangered, critical, or unique industrial capabilities needed to support America's national security. The Office of the Secretary of Defense recently implemented a process to assess what industrial capabilities are essential, whether the capabilities are unique and endangered, and the best course of action for DOD. If confirmed, I will join Secretary Widnall, the Under Secretary of Defense for Acquisition and Technology, and the service Acquisition Executives in using this process as a decisionmaking tool to identify endangered, critical, and unique areas of the defense industrial base that need to be protected.

Question. What influence do you believe the Department of Defense can or should exercise on the direction of the current, massive restructuring of the defense industry?

Answer. When a unique and endangered industrial capability is identified and future procurements will not sustain it, a variety of alternatives need to be explored to preserve the capability. For example, potential alternatives could include the use of developing second sources and/or substitutes; buy-outs to meet projected future needs; increased production of spare parts; targeting repair and overhaul work at key facilities; selectively upgrading existing equipment; and instituting small production runs specifically for industrial base preservation.

FEDERAL TECHNOLOGY POLICY

Question. President Clinton has stated that he wants to increase the amount of government and industry cooperation in the development of critical technologies.

What is your view on the proper role of government in the development of technologies for applications in the defense area and the commercial marketplace? What steps need to be taken to ensure that government investment decisions do not distort the normal forces of the marketplace in picking specific technology approaches and applications?

Answer. The Air Force supports the concept of working with the commercial marketplace as full partners. Processes are in place to make this happen. As I witnessed in industry, the commercial marketplace drives technology developments today and the DOD is learning to apply these technologies to its weapon systems as a way to drive costs down. Only when unique military technologies are required should the DOD influence technology development. Care must be taken when making technology investment decisions that the end use of the technology is known to avoid either the government or private sector from investing in a non-productive area. If confirmed, I plan to use all available authority to balance the Air Force's reliance on military-unique, dual-use, and commercial technology to achieve the most cost-effective solutions to satisfy the warfighters' needs.

SERVICE PRIORITIES

Question. What process do you intend to use to establish individual Air Force research requirements and how do you then prioritize the development efforts?

Answer. If confirmed, I plan to use processes already in place to set research and development priorities. These processes identify and approve both near-term and long-range needs and requirements, and allocate available funding to the highest priority efforts to satisfy national security objectives and service missions. In addition, I will continue the strategic planning process to guide the investment strategies in technology and new programs that are necessary and unique based on the Air Force vision and missions.

UNMANNED AERIAL VEHICLES

Question. What is your understanding as to the future of the Unmanned Aerial Vehicle (UAV) development program?

Answer. Today, the services are assessing the appropriate force mix of UAVs to satisfy the warfighters' needs. If confirmed, I will review the status of the UAV development programs and work with the warfighters to better understand their requirements to translate requirements into cost effective systems.

Question. What direction has been given to the UAV Joint Program Office (JPO) in light of Congressional intent portrayed in last year's Defense Authorization Conference Report?

Answer. At this point in my confirmation process, I am not knowledgeable of the specific direction given to the UAV JPO. If confirmed, I will work with the UAV JPO and the Defense Airborne Reconnaissance Office to review the actions they are taking to respond to last year's Defense Authorization Conference Report.

JOINT DEVELOPMENT PROGRAMS

Question. What is your impression as to the importance of joint development and procurement efforts, such as the AFX, Tri-Service Standoff Attack Missile (TSSAM) and Advanced Medium Air-to-Air Missile (AMRAAM)?

Answer. Joint development and procurement programs are extremely valuable. DOD's development costs are reduced because a single development program is required instead of each service having its own program. Unit procurement costs are lower because the total production quantities are larger than if each service pursued its own program. Support costs are also reduced because the services can use a single support infrastructure. Finally, interoperability is enhanced due to the services using a common weapon system.

Question. Does the STOVL Strike Fighter (SSF) offer potential for joint development in the next generation?

Answer. A high degree of commonality exists between the three JAST variants to satisfy the services' needs. The opportunity for joint development exists where there is commonality of components. If confirmed I will examine this critical issue.

OVERHEAD COSTS

Question. As you know, we had more production capacity in our defense industry than we needed even at the height of the Reagan defense build-up. This overcapacity has allowed us to compete certain projects, but has been very expensive to maintain. Eliminating this overcapacity will make defense procurement more efficient but will reduce competition. How do you plan to deal with this issue?

Answer. Based on my experience in industry, eliminating overcapacity may reduce number of potential competitors; in fact, it heightens the competitiveness of those remaining. Companies remaining in a particular business sector are the top performers and therefore drive the market. This creates a competitive environment where the strongest companies survive and they size their capacity to the anticipated market demands. A concern is if the demands are such as to only support one company. If confirmed, I will ensure that industrial base capacity is considered in all acquisitions when critical, endangered, or unique industrial capabilities are involved.

DEPOTS VERSUS CONTRACTOR MAINTENANCE

Question. Many defense contractors believe that it's a waste of money to have government depots duplicate their production capacity in order to maintain systems after initial production. They argue that a cradle-to-grave approach where the production facility becomes the maintenance facility over the life of a system would save time and money in weapons acquisition. What is your position on this and what will you do to address this issue?

Answer. If confirmed, I pledge to work with the Secretary of Defense and Congress in following their policies as we decide whether to use a government depot or to use a contractor's facility for the life of the system for new programs.

TESTING

Question. In recent years, we have spent billions of dollars developing test facilities to mimic the real world so we could test items as realistically as possible prior to the initiation of high rate production. Now we have more test facilities than we need and they are very expensive to maintain. Some people are now advocating that we change our approach to testing to use more simulation and to simply get prototypes into the hands of the users as quickly as possible so that the actual users can test items in the field while production moves forward at very low rates. What do you plan to do to improve the way we test our new systems and do you have new concepts in mind that are compatible with our increasing ability to do simulation?

Answer. It is essential that the Air Force's and DOD's test infrastructure be balanced with planned levels of modernization to include new weapon systems and upgrades to existing weapon systems. If confirmed, I will work with the Test and Evaluation Executive Agents and the service Acquisition Executives to assess the appropriate mix and size of the test and evaluation facilities to support the DOD's modernization plan.

Question. Do you plan to streamline and consolidate test facilities?

Answer. The Test and Evaluation Executive Agent is responsible to determine how the DOD's test infrastructure is consolidated. If confirmed, I will work with the Test and Evaluation Executive Agent and the service Acquisition Executives to determine the "right size" for the test infrastructure to ensure an adequate test capability is available to test the systems needed by the warfighters.

ACQUISITION WORKFORCE

Question. DOD and the services have different ways of counting the people involved in system acquisition. This plus the extreme diversity of the items procured by DOD makes the management of the acquisition workforce extremely complex. It is clear, however, that the size of this force must be sharply reduced as the size of the DOD acquisition program declines. The mix of civilians and military also must be balanced to reflect the needs of the services and the type of acquisitions that are planned.

What are your plans to reduce the Department of the Air Force acquisition workforce and what do you see as the major challenges in managing this diverse workforce?

Answer. The Air Force's acquisition leadership has a comprehensive plan in place to reduce the acquisition work. If confirmed, I will review the plans and progress and look for ways to improve the plans for downsizing based on my experience in industry.

The major challenges in managing the Air Force acquisition workforce is changing the program management paradigm which evolved over the last 20 years to recognize today's environment of streamlining, re-engineering, and downsizing. Based on my experience in industry, this requires leadership, and continuous communications, training, and education. In addition, an active program for bringing in new people with fresh ideas is essential to build the next generation of Air Force acquisition leaders.

If confirmed, I am ready to provide the leadership needed so that the Air Force's acquisition team is qualified and sized to meet the challenges of the changing acquisition environment in the next century.

USE OF COMMERCIAL PRODUCTS

Question. DOD has been criticized in the past for developing military specifications for products that do not need specifications because they already are fully developed and available in the commercial marketplace. The DOD fruitcake spec is a case in point. Despite strong pressure from Congress, DOD and the services have made little progress with its program to require the use of commercial products where possible. What do you plan to do to foster the use of commercial products by the Air Force when such use makes sense?

Answer. The Secretary of Defense's acquisition reform mandate establishes a clear preference for commercial off-the-shelf products when available. From my position in industry, I observed that the government has begun to implement this mandate. Performance specifications are used in solicitations which tell industry what the government wants a product to do, not how to build the product. This transformation also allowed the government to eliminate the need to specify military specifications and standards in its solicitations. Doing this gives industry flexibility to propose commercial products or non-development items to satisfy new military requirements. If confirmed, I will continue to strongly support the Secretary's mandate.

ACQUISITION ORGANIZATION

Question. The relationship between the service acquisition officials and the Under Secretary of Defense for Acquisition has varied from administration to administration since the Packard Commission recommended that the Under Secretary's position be established. How do you see this relationship under the current administration?

Answer. Within the Department of Defense there is a close relationship between the Air Force Acquisition Executive, the Air Force senior leadership, Under Secretary of Defense for Acquisition and Technology, and the other services' Acquisition Executives. If confirmed, I will maintain and foster this close working relationship during my tenure.

Question. Will policy be centralized or decentralized?

Answer. The Under Secretary of Defense for Acquisition and Technology establishes acquisition policy through the DOD 5000 and 8000 series instructions. The Service Acquisition Executives are responsible for implementing this guidance. The Air Force has centralized development and issuance of acquisition policy within the Assistant Secretary's office and at Headquarters Air Force Materiel Command to provide strategic guidance applicable to the broad array of Air Force programs. It has decentralized execution of the policy by empowering the Air Force Program Executive Officers and Program Managers to interpret, implement, and innovate this strategic guidance as it applies to their programs. If confirmed, I will review this approach if problems arise.

Question. Who will have the final approval authority for major weapons systems?

Answer. The Under Secretary of Defense for Acquisition and Technology is the approval authority for all major defense acquisition programs unless this authority is delegated to the service Acquisition Executive.

R&D VERSUS PRODUCTION

Question. As defense production declines, the relationship between production and research and development begins to be a problem because there are not enough funds to produce all of the systems coming out of the research and development process. How do you plan to address this without cutting the R&D that fuels our technology base?

Answer. The Air Force assesses and prioritizes its mission requirements and funds for production of only those weapons systems deemed essential for ensuring that America's national security objectives are met. While funding for production has declined significantly, funding for science and technology has remained fairly constant. Acquisition reform is critical to achieving this balance. Reform initiatives allow warfighters' needs to be satisfied cheaper, better and faster. Applying some of the savings for reinvestment in technology would allow the Air Force to maintain a viable technology base to support next generation weapons in addition to developing more affordable technologies. If confirmed, I will aggressively work to ensure our weapon system developments truly leverage the available funding and help maximize the collective return-on-investment in the Air Force modernization program.

INDUSTRIAL DATA BASE

Question. One major problem confronting the new administration as it tries to develop an industrial policy is the fact that we have few hard statistics on the status of the U.S. industrial base. Most of our information is fragmented and secondhand. Do you plan to improve this situation by developing a better database on the industrial state of the nation and will you share this information with Congress?

Answer. Information regarding the operations, plans, and financial condition of defense contractors is essential in conducting an industrial analysis. OSD and the Air Force are working together to refine data bases and collection methodology for United States' industrial base. OSD and the Air Force are also working to identify data requirements and streamlining and consolidating the data to improve access to timely and accurate information. If confirmed, I will support these efforts which are critical to rationalize the defense infrastructure and policy formulation. If this effort results in any new information about the state of the nation's industrial base, I will work with OSD to share this information with Congress.

CONGRESSIONAL EARMARKING

Question. How would you work with Congress in a cooperative effort to eliminate or vastly reduce earmarking?

Answer. The Air Force must continue to work with Congress to meet its requirements and at the same time be responsive to national objectives. Continuous and effective communication is the key to resolve Air Force and Congressional issues. Congress, OSD, and the Air Force must be close partners in structuring acquisition programs that are responsive to overall national security objectives and strategies.

If confirmed, I will encourage open, candid, and timely communications between the Air Force and Congress on the content and direction of the Air Force's acquisition programs.

ENVIRONMENTAL ISSUES

Question. Under what circumstances should costs associated with environmental cleanup efforts be allowable costs on defense contracts?

Answer. Environmental cleanup and the allocation of the associated costs are complex issues. In general, environmental cleanup costs are normal costs of doing business and should be allowable if reasonable and allocable. However, the government must assess this on a case-by-case basis, site-by-site, contaminant-by-contaminant. If the costs result from contractor wrongdoing or violations of the law, then the cleanup costs should not be allowable.

NON-U.S. SYSTEMS

Question. Many in government and industry are concerned that the increased use of foreign-made components in military systems may hold us hostage in the future. How will you address the issue of foreign components?

Answer. National economic interests must be protected without adverse effect on acquiring new technology and affordable high quality weapon systems and components. The use of foreign-made components must be judged on a case-by-case basis to assess the impact on America's economic interest, industrial base, and national security requirements.

Question. Should there be a critical technologies "stockpile" similar in concept to the critical materials stockpile?

Answer. The concept of a critical technologies "stockpile" is far less applicable today than it may have been in the past. Technology put on the shelf today will likely become obsolete in a very short time period. The key to maintaining critical technologies will be continuous upgrades and improvements in order to maintain the design and manufacturing base needed to field technologies in weapon systems.

DEFECTIVE CONTRACT PRICING

Question. The GAO recently released a report that claims that DOD paid more than \$3.7 billion too much over the past five years for goods and services due to defective pricing by DOD contractors. At the same time many contractors are refusing to do business with DOD because of excessive auditing and overregulation. How do you propose we reduce defective pricing without hiring even more auditors than we have today?

Answer. I am not aware of the GAO report on defective pricing. From my industry experience, an approach to reduce defective pricing and the number of auditors is to use commercial practices for acquisition programs. This approach relies on market forces to establish fair and reasonable prices rather than traditional cost-based

pricing. This approach is also less intrusive and less costly to both Government and contractor. Market-based pricing eliminates the need for audit oversight and the potential for defective pricing. If confirmed, I will consider market-pricing strategies for acquisition programs whenever possible.

INDUSTRIAL BASE—CIVILIAN VERSUS MILITARY CONTROL POLICY ISSUE

Question. The Chairman of the Joint Chiefs of Staff has recommended in his study on roles and missions that the service depots and the industrial facilities be consolidated under a new joint command. This raises a question that goes back to the heart of the Goldwater-Nichols legislation. Goldwater-Nichols envisioned two channels of authority, with the Joint Chiefs and the Commanders in Chief responsible for operational matters and the civilian service secretariats responsible for "equipping" issues.

Currently the civilian service secretariats are responsible for oversight of the government industrial base (i.e. the depots) and the private sector industrial base (the prime and subcontractors). What is the significance and impact on industrial base policy of shifting oversight of the government industrial base away from the civilian service secretariats?

Answer. I understand that this is a major issue as both the government and the commercial sectors downsize their industrial base. If confirmed, I will work closely with the Air Force's Deputy Chief of Staff for Logistics and the Commander of Air Force Materiel Command to address the impact of shifting oversight of the government industrial base away from the civilian service secretaries.

INDUSTRIAL BASE—APPROACH

Question. The Committee has been concerned about where the defense industrial base is headed in this period of decline. Certainly, there are some areas where DOD may not need to take any action because the commercial market will keep producers ready to support defense needs. In other cases, it is clear that the industrial base will be severely dislocated if we rely totally on the commercial market. One prime example of the latter is the submarine industrial base.

How do you think DOD should approach the overall industrial base issue? What are the criteria you feel should be used in determining whether DOD intervention in the marketplace is necessary to protect some component of the industrial base?

Answer. OSD has an approach to determine what industrial base capabilities are essential, whether the capabilities are unique and endangered, and what the best course of action is for DOD. This approach is based on an on-going industrial base review to identify and analyze industrial concerns and to incorporate them into budget and program decisions.

OSD's criteria to guide investment decisions to preserve an industrial base include: (1) is there a valid national security requirement; (2) is the capability unique; (3) will the unique capability be lost; (4) what is the cost, risk, and benefit of feasible alternatives; (5) is DOD intervention the only avenue to ensure that DOD can meet its mission; (6) is the action the most cost and mission effective solution; and (7) does the service have the funding to make the required investment.

If confirmed, I will join Secretary Widnall, the Under Secretary of Defense for Acquisition and Technology, and the other service Acquisition Executives in using this process as a decision-making tool to identify endangered, critical, and unique areas of the defense industrial base that need to be protected.

DOD LABS

Question. It has come to the Committee's attention that there may be instances where DOD laboratories may be intending to pull major portions of workload in-house to protect their own workload levels. Although this is an understandable reaction to the declining budgets, the Committee is not convinced that this makes sense from a broader perspective of protecting capability in the private sector where systems are designed and built. What criteria should be used in deciding on these laboratory "make/buy" decisions that have substantial effect on both the labs and the private sector?

Answer. At this point in my confirmation process, I am unaware of specific actions that DOD laboratories are taking during this period of downsizing. If confirmed, I will investigate the criteria and the processes used by the Air Force's laboratories to conduct make/buy decisions on unique military capabilities. I will make any changes necessary to ensure that the American taxpayers get the best-value for every dollar spent by the laboratories.

Question. What steps do you believe should be taken to establish appropriate controls to ensure that any such policy is carried out?

Answer. If confirmed, I will investigate the policies and controls that are in place today to maintain a distribution of work between in-house and private sector work. I will change any policies that do not provide the private sector with a fair opportunity to compete for laboratory work while still maintaining a viable in-house capability.

ACQUISITION CULTURE REFORM

Question. The Committee has been concerned about an acquisition management culture that results in such problem programs as the C-7, Solid Rocket Motor Upgrade for the Titan IV, and the Advanced Cruise Missile. These examples are all Air Force programs. What structural changes or policy changes do you feel are appropriate to help avoid similar problems on current or future Air Force programs?

Answer. Secretary Widnall and General Fogelman are leading the charge to ensure absolute integrity in the Air Force. To that end, the culture in the acquisition community in both government and industry must also have absolute integrity.

Three elements are critical to changing the culture—leadership, communications, and training—these are embodied in the reform initiatives. Leadership sets the standards expected of all people—I will provide the leadership if confirmed. Leadership encourages communications and does not penalize people for honesty. Communications is essential—it must be open, candid, and timely. If confirmed, I will assure that this happens between the program offices, the warfighters, the Air Force and OSD leadership, and Congress. Finally, the workforce must be trained in new ways of doing business. Training provides the workforce with the knowledge of what is expected and how to do their jobs.

If confirmed, I will do everything in my power to support the Secretary's and Chief's efforts.

SIZE OF BOMBER FORCE

Question. Are you aware that the planned number of deployable heavy bombers is to decline to only 40 B-52s, only 60 B-1s, and only 16 B-2s, for a total of only 116 bombers? Can we explain why the Department is essentially halving the bomber force even as it touts the advantages of early firepower in the "two-MRC" contingency?

Answer. I am aware of the projected size of the bomber force, but this is an operational requirement issue, not an acquisition issue. My understanding is that the force size was based on operational needs and requirements to meet national security objectives during the Bottom-Up Review. At this time I do not know the specific criteria and analyses used to arrive at the required size of the bomber force. If confirmed, I will review the criteria and analyses used to determine the bomber force size and assess how this might effect the timely delivery of quality systems at a reasonable price to the warfighter.

BOMBER MUNITIONS

Question. Under current Air Force plans, the B-52 force, in addition to the Have Nap and Harpoon, will be capable of delivering T-SSAM precision weapons in 1998 and J-DAM weapons in 2000. Under the same plans, the B-1 will not be ready to deliver T-SSAM until 2004, and J-DAM until 2001. In addition, the Air Force does not plan to install a new B-1 ECM until 2003. Since the B-1s will be the last bombers to become capable of using precision munitions, why is the Department retiring more of the B-52s than it is B-1s in the near term? Why not mothball most of the B-1s until they're fixed?

Answer. I understand that the bomber force structure was defined during the Bottom-Up Review. Before I can responsibly address this question, I need to review the bomber force modernization plan to include the integration of conventional munitions. I will do this, if confirmed.

SUSTAINING BOMBER OPS

Question. As we re-learned during the Gulf War, sustained operations—offensive or defensive—by forces based in the theater can only be conducted once the full sealift LOC has been established. In the Gulf War, reliable sealift was established about 5 weeks into the war, and it took another week or so to move supplies from ports to bases and rear areas. So, for the first 5 or 6 weeks of a war, our in-theater capability is limited. This puts the main burden on long-range bombers and carrier-based air throughout that period. Yet the Bottom-Up Review people now claim we need only 100 heavy bombers because we can "swing" bombers from the first MRC

to the second. But you can't start that "swing" until adequate sealift is established at the first MRC, can you?

Answer. This is an operational issue and I do not have the experience to address this question. If confirmed, I will review this issue with the Air Force's operational bomber experts. If I believe that any changes are needed in the Air Force's bomber modernization plans after this review, I will consult with the Air Force and OSD leadership as well as inform you.

F-22

Question. According to the F-22 acquisition plan, the Air Force will commit to Low Rate Initial Production (LRIP) quantities that increase from 4 aircraft a year to 36 a year (an 800 percent increase), totaling 80 aircraft, before completion of IOT&E. Production of 36 aircraft a year under LRIP represents 75 percent of the planned full production rate.

Does this plan conform with the Federal Acquisition Streamlining Act of 1994? As a prudent management policy, shouldn't the program be made to conform with the Act even though the program was initiated before the passage of the Act? Would you recommend that the Secretary of Defense specifically explain to Congress why any planned LRIP quantities over 10 percent are justified?

Answer. If confirmed, I will review the F-22 program in detail to include acquisition strategy and production plans/quantities, technical progress, program risk, cost and schedule performance, and application of acquisition reform initiatives including the Federal Acquisition Streamlining Act. From this, I will assess any needed changes to the program and review these with the Secretary of the Air Force, Dr. Kaminski, Under Secretary of Defense for Acquisition and Technology, and then, if appropriate, the Deputy Secretary of Defense and the Secretary of Defense.

JAST

Question. There appears to be some confusion about what the Joint Advanced Strike Technology (JAST) program is supposed to deliver for the money DOD is investing in it. Some view this program as a mechanism for maturing the various technology efforts that might contribute to make future aircraft development programs more capable or more affordable. Others believe that the JAST program should be developing a new aircraft or set of common aircraft components for the Air Force, Navy, and Marine Corps sets of requirements. What do you believe should be the appropriate focus of the JAST program?

Answer. The focus of JAST should be to enable the start of a low-risk aircraft engineering and manufacturing development program by conducting laboratory, ground, and flight tests. These efforts are critical to the successful development of a family of highly common, affordable aircraft to satisfy the tri-Service needs. JAST efforts should also feed other aircraft programs and modifications to identify high payoff systems for future development. To achieve this, the program needs to continue to move forward at a stable and reasonable pace. If confirmed, I will work closely with the Air Force, Navy, Marine Corps, and DOD to ensure that this is the case.

Question. With that in mind, how should DOD be managing the JAST program effort to achieve that aim?

Answer. I believe the JAST program is being properly managed as a joint service program with oversight by the service Acquisition Executive. In addition, OSD-level oversight is achieved through an OSD-lead Joint Service Integrated Process Team. The Joint Requirements Oversight Council has endorsed the JAST program requirements and concept. If the demonstration phase of the program succeeds, I will push for JAST to transition to a major Defense Engineering and Manufacturing Development program at the appropriate time.

[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR TED KENNEDY

Senator KENNEDY. What is your view of the role for the Defense Department's Federally Funded Research and Development Centers (FFRDCs) in achieving the Air Force's mission?

Mr. MONEY. I believe that FFRDCs play a relevant and important role in helping the Air Force achieve its acquisition mission.

Senator KENNEDY. The Defense Department's Internal Advisory Group on FFRDCs Report to the Under Secretary of Defense for Acquisition and Technology

concluded that "DOD FFRDCs provide essential, high-value technical and analytic support." The Action Plan formulated by the advisory group calls for retaining the FFRDCs, with suggested management and administrative changes. What is your view of the Advisory Group's findings, and the Under Secretary's recommended management plan?

Mr. MONEY. I believe that the Under Secretary's recommended management plan provides the sound framework to strengthen the strategic relationship between the Air Force and FFRDCs and to enhance the management and use of FFRDCs to accomplish the Air Force's acquisition mission. If confirmed, I will fully support the management plan.

[The nomination reference of Mr. Arthur L. Money follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
October 19, 1995.

Ordered, That the following nomination be referred to the Committee on Armed services:

Arthur L. Money, of California, to be an Assistant Secretary of the Air Force, vice Clark G. Fiester.

[The biographical sketch of Arthur L. Money, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF ARTHUR L. MONEY

Arthur L. Money has been vice president and deputy general manager, TRW Avionics & Surveillance Group, since Jan. 1, 1995. TRW Avionics & Surveillance Group is internationally recognized for airborne electronic systems and technologies, including reconnaissance and intelligence systems and advanced integrated avionics. The group has four lines of business—Avionics Systems, National Systems, Tactical Systems, and Unmanned Aerial Vehicle (UAV) Systems—and a business unit—TRW Transportation Systems. With headquarters in San Diego, Calif., the group has several U.S. locations, including a major facility in Sunnyvale, Calif.

PRIOR EXPERIENCE

Mr. Money was president of ESL Incorporated, a subsidiary of TRW, from 1990 to 1994. On Jan. 1, 1995, TRW Avionics & Surveillance Group consolidated Sunnyvale based ESL, which had been a subsidiary of TRW since 1978, and two other divisions based in San Diego under a line-of-business structure.

From 1989 to 1990, Mr. Money was vice president of ESL Advanced Programs and Development and was responsible for the company's strategic planning and future business posture, as well as the Washington systems engineering office, chief engineer's office, analysis and studies line of business, and marketing and proposal operations organizations. From 1984 to 1989, he was vice president and general manager of the Signals, Analysis and Systems Division. He joined ESL in 1972 as an engineer and subsequently was named manager and director of various ESL units.

Before joining ESL, Mr. Money worked for Lockheed Missiles and Space Co. for 10 years, where he analyzed data for space and missile systems. At Lockheed, he also was responsible for flight data processing and quick-look analyses of the Agena satellite.

GOVERNMENT SERVICE

Mr. Money has over 33 years of industry experience in direct support of the Department of Defense and Intelligence Community in the development of some of this Nation's finest weapon systems and intelligence collection, processing, analysis and exploitation capabilities. Over this career he has served in a variety of panels and ad hoc committees in support of the Defense Department and has served as a consultant to the National Security Agency Scientific Advisory Board since 1981.

EDUCATION

Mr. Money is a graduate of San Jose State University with a Bachelor of Science, Mechanical Engineering in 1965 and of the University of Santa Clara with a Master of Science, Mechanical Engineering in 1970. He has completed various management programs, including the nine-week Massachusetts Institute of Technology Sloan School Program for Senior Executives in 1988 and the eight-week Executive Excellence Program in 1990.

HONORS AND AFFILIATIONS

Mr. Money is the 1995 chairperson of the Santa Clara Valley Manufacturing Group. He also is chairperson of the Defense/Space Consortium, a Joint Venture: Silicon Valley initiative, and was chairperson of the 1993 United Way campaign for Santa Clara County. Mr. Money serves on the boards of the Valley Medical Center Foundation, American Leadership Forum, Silicon Valley Art Fund, and San Jose State University School of Engineering. He received the San Jose State University Engineering Award of Distinction in 1990.

PERSONAL INFORMATION

Mr. Money was born in Stockton, Calif. He lives in Cupertino, Calif., with his wife, Sharon. They have two children—Jennifer and David—and three grandchildren—Arthur Justin, Samantha, and Kenneth.

[The Committee on Armed services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Arthur L. Money in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
Arthur Lewis Money.
2. **Position to which nominated:**
Assistant Secretary of the Air Force for Acquisition.
3. **Date of nomination:**
October 19, 1995.
4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]
5. **Date and place of birth:**

February 3, 1940; Stockton, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to the former Sharon Lynne Bryer.

7. **Names and ages of children:**

Jennifer Lee Money Vail, 31; David Adam Money, 30.

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Stockton College (High School); September 1955 through June 1957; Diploma.

Stockton College; March 1958 through June 1961; Associate of Arts.

San Jose State University; June 1961 through June 1965; Bachelor of Science, Mechanical Engineering.

Santa Clara University; September 1966 through June 1970; Master of Science, Mechanical Engineering.

Stanford American Electronic Association; August 1979; Certificate.

Harvard Executive Security Program; August 1987; Certificate.

MIT Program for Senior Executives; September through November 1988; Certificate.

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

TRW Avionics & Surveillance Group, 495 Java Dr., Sunnyvale, CA 94088. 1/95 to Present, Vice President, Group Development, have been employed with TRW/ESL since 2/72.

ESL Incorporated, a subsidiary of TRW; 1/90-12/94—President; 12/88-12/89—Vice President; 6/86-12/88—Division Vice President; 1/80-6/86—Division Vice President, Studies & Analysis Systems.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

NSASAB (National Security Agency—Scientific Advisory Board).

Special Government Employee—Member of Scientific Advisory Board, Consultant since 1981.

Provided assistance to the Defense Science board (DSB) in August/September 1995 with respect to the DSB Task Force on Improved Application of Intelligence to the Battlefield.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Professional—Non-Profit

AIAA: American Institute of Aeronautics & Astronautics Member #012028-00-3/63—Present

AOC: Association of Old Crows—Member—#8024106—5/80—Present

AOC-JED: Journal of Electronic Defense—Member Advisory Board—6/95—Present

AUSA: Association of U.S. Army—Member—#B927245—1/89—Present

Navy League—Member—4/92—Present

AFA: Air Force Association—Member—4/80—Present

IEE: Institute of Electrical & Electronic Engineers—Member—4/88—Present

The Planetary Society—Member—#1176352—12/87—Present

AFCEA: Armed Forces Communications & Electronics Association—Sustaining Associate—#20392—4/85—Present

ADPA: American Defense Preparedness Association—Life Member—#175884—4/84—Present

SJS SOE: San Jose State School of Engineering—Advisory Board—6/89—Present

Civic Non-Profit

ALF: American Leadership Forum—Silicon Valley Chapter—Director—Board of Directors—6/91—Present

The Tech Museum of Innovation—Member Board of Directors—6/93-1/95

NCCJ: The National Conference of Christians/Jews—Member—Board of Governors—Silicon Valley Chapter—7/94—Present

BSA: Boy Scouts of America—Member—Executive Board—Santa Clara County Council—1/95—Present Silicon Valley Art Fund, Board Member, 6/91-6/93

Business—Non-Profit

SCVMG: Santa Clara Valley Manufacturing Group—Member, Board of Directors
1/90—Present; Chairman, Board of Directors—2/95—Present
Silicon Valley Defense/Space Consortium—Chairman—6/93—Present

Charitable—Non-Profit

Santa Clara Valley Medical Foundation, Board Member, 1/90—Present
Santa Clara County United Way, Board Member, 10/91—10/93; County Campaign
Chairman, 10/92—10/93

Employment

Lockheed Missiles & Space, Sunnyvale, CA (USA), 2/62 to 2/72, Engineer
TRW Avionics & Surveillance Group, 495 Java Dr., Sunnyvale, CA 94088-3510;
1/95—Present, Vice President, Group Development, have been employed with TRW/
ESL since 2/72.

ESL Incorporated, a subsidiary of TRW—1/90—12/94—Present; 12/88—12/89—
Vice President; 6/86—12/88—Division Vice President; 1/80—6/86—Division Vice Presi-
dent, Studies & Analysis Systems

12. Memberships: List all memberships and offices currently held in profes-
sional, fraternal, scholarly, civic, business, charitable and other organizations.

See above information.

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office
for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political
parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, po-
litical party, political action committee, or similar entity of \$100 or more for the past
5 years.

TRW Political Action Committee (PAC)—\$260/year.

Name	Date	Amount
Norman Mineta, Democrat, U.S. Congress	11/91	\$100
	11/91	\$200
	11/92	\$300
	11/93	\$300
	9/91	\$300
Zoe Lofgren, Democrat, U.S. Congress	8/94	\$150

14. Honors and Awards: List all scholarships, fellowships, honorary society
memberships, military medals and any other special recognitions for outstanding
service or achievements.

San Jose State University School of Engineering, Engineering Award of Distinc-
tion, May 11, 1990.

Association of Old Crows Executive Management Medal, September 1992, for
twenty five years of outstanding engineering management and people oriented lead-
ership related to meeting critical defense needs.

15. Published writings: List the titles, publishers, and dates of books, articles,
reports, or other published materials which you have written.

Numerous classified (TS—SCI) reports as a result of my TRW/Lockheed employ-
ment.

16. Speeches: Provide the committee with two copies of any formal speeches you
have delivered during the last 5 years which you have copies of and are on topics
relevant to the position for which you have been nominated.

February 1994—Testified before House Permanent Select Committee on Intel-
ligence (HPSCI) with regard to U.S. Industrial Base.

February 1995—Testified before Defense Science Board with regard to Federally
Funded Research & Development Centers (FFRDC).

[Copies of speeches retained in committee files.]

17. Commitment to testify before Senate committees: Do you agree, if con-
firmed, to respond to requests to appear and testify before any duly constituted com-
mittee of the Senate?

Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

ARTHUR L. MONEY.

This 10th day of October, 1995.

[The nomination of Arthur L. Money was reported to the Senate by Senator Strom Thurmond on November 29, 1995, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on January 26, 1996.]

VOTE ON THE NOMINATION OF ARTHUR L. MONEY TO BE ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION

TUESDAY, NOVEMBER 28, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 11:12 a.m., in room SD-50, Dirksen Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond, Cohen, McCain, Coats, Smith, Kempthorne, Hutchison, Santorum, Nunn, Exon, Levin, Kennedy, Bingaman, Glenn, Byrd, Robb, Lieberman, and Bryan.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; Melinda M. Koutsoumpas, chief clerk; and Christine K. Cimko, press secretary.

Professional staff members present: Romie L. Brownlee, Lucia M. Chavez, Lawrence J. Lanzillotta, Cord A. Sterling, Eric H. Thoemmes, and Burt Mizusawa.

Minority staff members present: Arnold L. Punaro, minority staff director; Andrew S. Effron, minority counsel; Richard D. DeBobes, counsel; and Michael J. McCord, professional staff member.

Staff assistants present: Patricia L. Banks, Pamela L. Farrell, Shelley G. Lauffer, Deasy Wagner, and Jennifer Wallace.

Committee members' assistants present: Judith A. Ansley, assistant to Senator Warner; James M. Bodner, assistant to Senator Cohen; Ann E. Sauer and Walter Lohman, assistants to Senator McCain; Richard F. Schwab and David J. Gribbin, assistants to Senator Coats; Thomas L. Lankford, assistant to Senator Smith; Glen E. Tait, assistant to Senator Kempthorne; David W. Davis, assistant to Senator Hutchison; Patty Stolnacker, assistant to Senator Santorum; Andrew W. Johnson, assistant to Senator Exon; David A. Lewis, assistant to Senator Levin; Steven A. Wolfe, assistant to Senator Kennedy; Patricia J. Buckheit and Suzanne M. McKenna, assistants to Senator Glenn; Lisa W. Tuite, assistant to Senator Byrd; William Owens, assistant to Senator Robb; and Mary Weaver Bennett, assistant to Senator Bryan.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. We have before us the nomination of Arthur L. Money to act on. It will just take a minute, I think.

(411)

Mr. Money was nominated by the President to be the Assistant Secretary of the Air Force for Acquisition on October 19, 1995. On November 14th, the Armed Services Committee held a hearing at which Mr. Money appeared. He addressed the committee and responded to the committee's written and oral questions. A quorum was not present at the hearing, and we have not yet voted on his nomination.

We appear to have a quorum present now, so I would like to entertain a motion that his nomination be reported favorably to the full Senate.

Senator NUNN. Mr. Chairman, I make a motion.

Senator COHEN. Second.

Chairman THURMOND. Those in favor, say aye. [A chorus of ayes.]

Those opposed, say no. [No response.]

It appears to the chair that the ayes have it, and the nomination is approved.

[Whereupon, at 11:15 a.m., the hearing was adjourned.]

NOMINATION OF H. MARTIN LANCASTER TO BE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

WEDNESDAY, DECEMBER 13, 1995

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 10:07 a.m., in room SR-222, Russell Senate Office Building, Senator Strom Thurmond (chairman) presiding.

Committee members present: Senators Thurmond and Warner.

Other Senators present: Senator Lauch Faircloth.

Committee staff members present: Richard L. Reynard, staff director; George W. Lauffer, deputy staff director; and Christine K. Cimko, press secretary.

Minority staff members present: Frank Norton and Julie K. Rief, professional staff members.

Staff assistants present: Connie B. Rader and Deasy Wagner.

Committee members' assistants present: Jack Haggard, assistant to Senator Warner; John P. Stevens, assistant to Senator Glenn; William Owens, assistant to Senator Robb; and Maureen Fino, assistant to Senator Lieberman.

OPENING STATEMENT OF SENATOR STROM THURMOND, CHAIRMAN

Chairman THURMOND. The committee will come to order.

Mr. Lancaster, we are glad to have you with us this morning to discuss your nomination to be the assistant Secretary of the Army for Civil Works. Your nomination arrived at the committee less than 3 weeks ago, but all your paperwork did not arrive until Monday of this week. We have had to hurry to act on it.

I am very pleased to see Senator Lauch Faircloth here with us today to introduce you. Senator Faircloth is a former member and a good friend of this committee. I look forward to hearing from him as soon as we are through with opening remarks.

In addition, Senator Howell Heflin contacted the committee on Monday and requested that I express his support for an expeditious handling of the nomination and confirmation of Mr. Lancaster. When Senators Faircloth and Heflin are for you, it is hard to see how anyone could be against you.

A number of senators on our committee have hearings and meetings that they are attending this morning. The late receipt of this nomination did not allow us to get this hearing on their calendars

in time to preempt other activities. But some members have indicated their interest and will try to stop by during the hearing.

This is a very important office. I have trouble understanding why there has been no nomination to fill it during the current administration. Our Nation's infrastructure, to include its vital waterways, are in need of attention and constant care. One of the areas that can always use attention is information and communications on civil works between the Department of the Army and Congress as to the needs of the country and the importance of our civil works program.

For that reason, I think Mr. Lancaster is an excellent choice for this position. He has had prior service in the Navy and served in Vietnam. He was elected to the legislature of his State, the other Carolina, and then from 1987 until January of this year he served in the United States House of Representatives. Few are more qualified to keep Congress informed than Mr. Lancaster. He knows how the congressional system works.

There are others who may wish to speak this morning and we have only a limited time for this hearing, so I will keep my remarks short. I believe the President has made a good decision in nominating you, Mr. Lancaster, and I look forward to your opening remarks. Senator Warner, did you care to make any remarks?

STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. Mr. Chairman, I would like to make a few brief remarks. I welcome this nominee, and you will have my support. We have met. I have examined your record. You are eminently qualified, in my judgment. I think the citizens of our country are fortunate that you are willing to take on this added assignment. I see you are flanked by one of my closest and best friends in the United States Senate, the able Senator from North Carolina, and we are pleased that he has joined us this morning for the purposes of your introduction.

Now, you and I discussed while we were in the office, and, Mr. Chairman, I would ask unanimous consent that my full statement appear in the record at this point.

Chairman THURMOND. Without objection, so ordered.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

Mr. Lancaster, I welcome you to your confirmation hearing before the Senate Armed Services Committee this morning. As we discussed when you visited with me last week, the Assistant Secretary of the Army (Civil Works) is an extremely critical position, and requires an individual of many talents to be successful. While most members of the Army Secretariat are concerned with combat with enemy forces, either current or future, you will be defending many sections of our country from Mother Nature. From maintaining navigation on our waterways, to minimizing erosion of our beaches, and preventing flood damage in our watersheds, you have a major task ahead of you. Having met with you, and having read your responses to the questions provided by this committee, I feel that you are qualified (with some geographic reservations).

One item we discussed when you visited my office last week was a project which would provide water from Lake Gaston, in your home state of North Carolina, to the Virginia Beach area. As you were aware, there are differences between North Carolina and Virginia concerning the project. As you indicated you would do, you have sent a letter to the Chairman of this Committee indicating that you will dis-

qualify yourself from decisions concerning this project while you are Assistant Secretary of the Army (Civil Works). I believe that this was the proper course of action, and appreciate your promptness.

I do have several questions dealing with your position. In your questions, you were asked what are the three most pressing problems that you will face. Changing perspectives, what are the three most pressing problems facing the Army Corps of Engineers, and how will the Assistant Secretary deal with these problems?

Although you will be an Assistant Secretary of the Army, much of your budget is in areas other than the Defense Function. While it would appear that there is very little military and very much civil works under your authority, there is nonetheless a significant military role performed by the Army Corps of Engineers, particularly abroad. Could you highlight some of the military functions, and how your office is involved?

As you have learned, you will be the point man in the debate between developers and the environment. While policies may be successful in the main, such as requiring large developers to mitigate projects that have an impact on wetlands, the situation is different when an individual has one lot on which to build his retirement home, and finds that the plant life indicates that it is a protected wetland. How do you feel that someone in this situation should be dealt with?

Senator WARNER. We discussed the fact that coming from North Carolina and recognizing that the States of North Carolina and Virginia have at the present time a difference of opinion as to how to resolve certain water problems with Lake Gaston, that you would disqualify yourself should any of those matters need to be acted upon by the Department over which you will soon, hopefully with confirmation by the Senate, be presiding. You have supplied the chairman of our committee, Senator Thurmond, a letter dated 8 December.

The following paragraph reads: "Accordingly, if confirmed, I will disqualify myself from participating in any decision concerning the construction of a pipeline at or the withdrawal of water from Lake Gaston during my tenure as Assistant Secretary of Army, Civil Works."

I would like to ask you just to broaden that for the record. There may be some technical question, some court suit. This could be construed narrowly as just perhaps relating to the withdrawal of water, but I am certain it was your intention that this letter was to read to take out of all actions relating to this dispute between two great States, am I not correct?

Mr. LANCASTER. It was, indeed, Senator, and I apologize if the language was not adequate. I do assure you and the committee that this is a matter which I feel it would be inappropriate because of my involvement as a member of Congress representing that area of North Carolina to involve myself as Assistant Secretary.

Senator WARNER. Fine. If I may, I will have this letter duplicated so that my good friend from North Carolina might have a copy for his records, too, and also enter it into the hearing record.

Thank you very much.

December 8, 1995.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services,
U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: In my visits with Senators Warner and Robb with regard to my nomination as Assistant Secretary of the Army (Civil Works), we discussed a Corps of Engineers project that would provide water to the Virginia Beach area from Lake Gaston, which is located on the North Carolina-Virginia border. This matter has been extremely controversial for approximately twenty years, and it in-

volved constituents of mine during the last two years I served in the House of Representatives.

The Office of the Army General Counsel advises me that federal ethics laws and regulations do not prohibit me from taking official action with respect to the construction of a pipeline at Lake Gaston, or the withdrawal of water from that site for municipal water supply purposes. Therefore, the Ethics Agreement I executed on November 27, 1995 does not address my involvement in this matter. I am concerned, however, that my prior involvement with the Lake Gaston project on behalf of my former constituents may raise a question regarding my impartiality in the performance of official duties regarding this matter. Indeed, because of that involvement, Senators Warner and Robb concur that it would be inappropriate for me to involve myself in any way with future Corps of Engineers decisions with regard to this project.

Accordingly, if confirmed, I will disqualify myself from participating in any decision concerning the construction of a pipeline at, or the withdrawal of water from Lake Gaston during my tenure as Assistant Secretary of the Army (Civil Works).

Sincerely,

H. MARTIN LANCASTER.

Chairman THURMOND. Senator Faircloth, as I stated, we are very pleased to have you with us. We feel very close to you as a citizen and representative of an able sister State of ours, and I now call on you to introduce our nominee.

Senator WARNER. Mr. Chairman, we would like to have him back on our committee.

Chairman THURMOND. We would be very pleased to have him back. I do not know why he ever left. [Laughter.]

STATEMENT OF HON. LAUCH FAIRCLOTH, A U.S. SENATOR FROM THE STATE OF NORTH CAROLINA

Senator FAIRCLOTH. Thank you. Well, they fired me. [Laughter.]

Senator WARNER. We will rehire you, then. [Laughter.]

Senator FAIRCLOTH. They said I had too many committees, but thank you. And I wish to thank you, Senator Thurmond, and Senator Warner, for allowing me to be here this morning to introduce Martin Lancaster to the committee as nominee for Assistant Secretary of the Army for Civil Works.

I have known Martin many years. I knew him when he was in the State House, and, of course, he was my congressman for the length of time that he was in Congress. So I have come to know him well. Senator Thurmond, he is still a Democrat, but I expect him to change momentarily. [Laughter.]

Martin has accepted the nomination, and it is a difficult position. The Corps of Engineers today is required to do many things, but what it is going to require is what Martin will bring to it in an abundance, and that is a practical common-sense knowledge of how to do it, not a theoretical, technical approach to it, but being from Eastern North Carolina, the congressional district that he represented was probably half identified as wetlands.

His congressional district included the Port of Moorehead City and the outer banks. So he is well aware of the necessity of ports, the maintaining, and also the wetlands. He should be able and will be able to know the frustration that so many people in this country feel with the wetlands rules and regulations as they apply to the Corps, and certainly he is, being from this district, aware, as all of us are, that we have to protect the wetlands of this country, what they mean to it, and how important they are. But yet he will

bring a common-sense approach to it and the utilization of this as a resource.

As I say, the Port of Moorehead was in his congressional district, and he saw the necessity of having the ports in good shape. He saw the soldiers for the Persian Gulf, Operation Desert Storm, shipped from Moorehead; he saw the soldiers that went to Haiti from there; and over the years he has seen the necessity of maintaining not only the port that was in his district, but all around the country for our national defense, having them ready to go at any time.

Mr. Chairman, I just bring to you that Mr. Lancaster is a man of unquestioned integrity. I have known him for 30-plus years; a man who will do the job, who understands work, who understands a day's work, and will see that the Corps of Engineers operates in a straightforward, clean-cut manner, and does the job it is intended to do. I think the President made an excellent decision in appointing him, and I strongly recommend him to the committee.

I thank you.

Chairman THURMOND. Thank you very much, Senator. We are glad to have him with us and glad to have you here to introduce him.

Incidentally, is he a pork producer like you?

Senator FAIRCLOTH. He is not, but he comes from a district that has a lot of it.

Mr. LANCASTER. I am a tobacco farmer, Senator.

Chairman THURMOND. Mr. Lancaster, we are very pleased to have you make some opening remarks. If you could speak about 5 minutes, then we will put the rest in the record, if you have a longer statement.

Senator WARNER. Mr. Chairman, could I say a word, please? That was an excellent statement made by our distinguished colleague, Senator Faircloth, and it would be important for me to have the nominee acknowledge that he basically agrees with the tenets contained in that very important statement by the distinguished Senator from North Carolina. Do you agree?

Mr. LANCASTER. Yes, sir. I do.

Senator WARNER. Fine. Maintaining a balance on these environmental issues is what we are striving to do, and the distinguished Senator from North Carolina serves on the Environment and Public Works Committee, and we are not trying to roll back or rid ourselves of the important environmental laws. It is just a proper application and keeping all interested parts of the environment in a balanced situation. You likewise acknowledge that as a goal that you will have?

Mr. LANCASTER. Yes, sir.

Senator WARNER. Fine. Thank you very much, Senator Faircloth. That is very important that you added that. And thank you, Mr. Chairman.

Chairman THURMOND. Thank you, Senator.

STATEMENT OF H. MARTIN LANCASTER, NOMINEE FOR ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

Mr. LANCASTER. Mr. Chairman, I am humbled by the remarks that you and Senator Faircloth have made with regard to my nomination, and I am very honored that you and Senator Warner are

here to conduct this hearing. I am especially grateful that my Senator and long-time good friend and former constituent, Senator Faircloth, is here to introduce me. I know that he has much to claim his attention this morning, having a Clean Water hearing in his committee of primary interest; also the Whitewater hearings continue; and so for him to take time from that schedule to come and introduce me is for me an honor, and I am very flattered by the very fine things he said, and those that came from the chair.

I do thank you, Mr. Chairman, for so promptly scheduling this hearing. Before I continue, I know that Senator Faircloth needs to leave, and there is no need for him to sit around and hear me, so with the chair's permission, I would request that he be allowed to go on to his other responsibilities.

Chairman THURMOND. Well, that seems reasonable. He does have permission to do so.

Mr. LANCASTER. Again, Mr. Chairman, thank you for so promptly scheduling this hearing and for cooperating in the handling of this matter so expeditiously. I recognize that you and the committee are now distracted by the authorization conference which you are trying to complete, by the Bosnian situation, and so taking time from these important matters to hold this hearing for me is asking a lot. I regret that it was at such a late hour, but do sincerely appreciate your moving this along.

As you know better than anyone, and as you have indicated in your statement, the position of Assistant Secretary of the Army for Civil Works has been vacant for several years now, and filling the position must now assume a high priority. I appreciate your recognizing the importance of this position, and sincerely request that every effort be made to complete the process before you leave for home for the holidays.

I am grateful to the President for having the confidence in me to nominate me for this important post. I pledge to him and to you to use my full abilities and my maximum personal efforts to justify his and your trust, and to fulfill the responsibilities of this office in a way that will make you and him proud.

The Corps of Engineers has a proud history stretching back almost to the beginning of the country. However, during that long history it has evolved and grown to meet the ever-changing needs of a dynamic country. In the early years, civil works activities of the Corps focused on navigation, recognizing that we were a country dependent on trade, and that the bulk of that trade had to be transported by ship. Thus began the important work of improving and maintaining harbor and intercoastal navigation on rivers, canals, and sounds.

The devastating floods that have periodically ravaged our farms and communities along our great rivers led to the expansion of the Corps' responsibilities into flood control with levees and dams, always trying to maximize the benefit of any Corps project. Hydroelectric power was a natural concomitant development of the construction of dams for flood control.

As the citizens of this country began to appreciate the need for environmental sensitivity and for reflecting that sensitivity in civil works projects, the Corps was called on to be more environmentally sensitive in designing and constructing new projects. Projects were

undertaken to correct the environmental mistakes of the past, and the Corps was asked to use its expertise in protecting water resources through the regulatory processes of the Clean Water Act.

Over the years, the Corps' evolution began to emphasize its three major responsibilities of today: navigation, flood control, and environmental protection and restoration. All of these tasks are important, all are complex and demanding, and all require significant resources. With declining budgets and competing demands for those limited dollars, fulfilling these requirements became more and more difficult. However, the dedicated and able staff of military and civilian employees who make up the Corps of Engineers has risen to the challenge and continues to carry out their responsibilities to the people of this country in these important areas.

During the time the position has been vacant, the Corps of Engineers has been blessed to have an excellent Acting Assistant Secretary in Dr. John Zirschky, and excellent uniformed leadership in Lieutenant General Art Williams. Together, they have provided effective and visionary leadership as the Corps has confronted the problems of all Federal agencies, doing more with less.

However, there is a limit to how much more the Corps can do with how much less. Therefore, this is an important time for the executive and legislative branches of this Government to undertake a serious debate on the future of the Corps of Engineers and how it will meet its commitment. I am prepared to lead that debate, and believe that my background uniquely qualifies me to do so.

There are two essential attributes which must be possessed by a person leading this debate: an ability to work with Congress, and an ability to work with the Army's Corps of Engineers. As a member of the House and as a retired captain in the Naval Reserve, I believe that I possess those important attributes. As a member of Congress I served briefly on the Transportation and Public Works Committee, but served most of my career on the House Armed Services Committee. I represented Coastal North Carolina and dealt with the Wilmington district on a myriad of projects which reflect almost all of the responsibilities they undertake: harbor dredging and maintenance, waterways, beach replenishment, wetlands permitting, and flood control.

My experience in dealing with the fine officers and personnel in the Wilmington district has given me great confidence that there is the dedication and expertise in the district and the division offices around the country to carry out these important responsibilities. After 26 years in combined active duty and reserve time in the military, I have a profound respect for the military leadership of our armed services, and an ability to communicate and work with them in a constructive way to address the problems which Congress identifies as needing action and which Congress funds.

In my meetings with the staff of the Assistant Secretary's office, and with the military leadership of the Corps, I am impressed with the people with whom, with your confirmation, I will be asked to work. I am convinced that I will be able to quickly develop a level of trust and respect with all of that leadership, both military and civilian, that will lead to a hard-working and effective team.

I recognize going into this position that I am short on engineering background but long on other attributes that will more than

make up for that deficiency. Furthermore, having full confidence in the technical expertise of the military and civilian leadership of the Corps to provide me with what I lack in technical background, I have no concern about that shortcoming. My background is ample testimony to the fact that I bring to this position effective leadership skills, maturity, a good dose of common sense, a dedication to fiscal responsibility, a sense of reasonableness and fair play, a great capacity for hard work, and an ability to work with bright, hard-working professionals.

I am prepared to undertake the important responsibilities of this post and am enthusiastic about the opportunities it presents to me to continue to serve the country which I love.

I will be happy to respond to Senators' questions.

[The prepared statement of Mr. Lancaster follows:]

PREPARED STATEMENT BY H. MARTIN LANCASTER

Thank you for so promptly scheduling this hearing and for cooperating in handling this matter expeditiously. Time is of the essence, since only a matter of days remain in this Session of this Congress. As you know better than anyone, the position of Assistant Secretary of the Army (Civil Works) has been vacant for several years and filling the position must now assume a high priority. I appreciate your recognizing its importance and sincerely request that every effort be made to complete the confirmation process before you leave for your homes for the holidays.

I am grateful to the President for having the confidence in me to nominate me for this important post. I pledge to him and to you to use my full abilities and my maximum personal effort to justify his and your trust and to fulfill the responsibilities of this office in a way that will make you and him proud.

The Corps of Engineers has a proud history stretching back almost to the founding of this country. However, during that long history it has evolved and grown to meet the ever-changing needs of a dynamic country. In the early years civil works activities of the Corps focused on navigation, recognizing that we were a country dependent on trade and that the bulk of that trade had to be transported by ship. Thus began the important work of improving and maintaining harbors and intra-coastal navigation of rivers, canals, and sounds.

The devastating floods that have periodically ravaged our farms and communities along our great rivers led to expansion of the Corps' responsibilities into flood control with levees and dams. Always trying to maximize the benefit of any Corps project, hydroelectric power was a natural concomitant development of the construction of dams for flood control.

As the citizens of this country began to appreciate the need for environmental sensitivity and for reflecting that sensitivity in Civil Works projects, the Corps was called on to be more environmentally sensitive in designing and constructing new projects; projects were undertaken to correct the environmental mistakes of the past; and the Corps was asked to use its expertise in protecting water resources through the regulatory processes of the Clean Water Act.

Over the years the Corps' evolution began to emphasize its three major responsibilities of today: navigation, flood control, and environmental protection/restoration (stewardship). All of these tasks are important; all are complex and demanding; and all require significant resources. With declining budgets and competing demands for the limited dollars, fulfilling these requirements becomes more and more difficult. However, the dedicated and able staff of military and civilian employees who make up the Corps of Engineers has risen to the challenge and continues to carry out their responsibilities to the people of this country in these important areas.

During the time this position has been vacant, the Corps of Engineers has been blessed to have an excellent Acting Assistant Secretary in Dr. John Zirschky and excellent uniformed leadership in Lt. Gen. Art Williams. Together they have provided effective and visionary leadership as the Corps has confronted the problems of all Federal agencies—doing more with less. However, there is a limit to how much more the Corps can do with how much less.

Therefore, this is an important time for the executive and legislative branches of this government to undertake a serious debate on the future of the Corps of Engineers and how it will meet its commitments. I am prepared to lead that debate and believe that my background uniquely qualifies me to do so.

There are two essential attributes which must be possessed by a person leading this debate: an ability to work with the Congress and an ability to work with the Army's Corps of Engineers. As a Member of the House and as a retired Captain in the Naval Reserve, I believe I possess those two important attributes.

As a Member of Congress, I served briefly on the Transportation and Public Works Committee, but served most of my career on the House Armed Services Committee. I represented coastal North Carolina and dealt often with the Wilmington District of the Corps of Engineers on a myriad of projects which reflect almost all of the responsibilities they undertake: harbor dredging and maintenance, the intra-coastal waterway, beach replenishment, wetlands permitting, and flood control. My experience in dealing with the fine officers and personnel in the Wilmington District has given me great confidence that there is the dedication and expertise in the district and division offices around the country to carry out these important responsibilities.

After 26 years in combined active duty and reserve time in the military, I have a profound respect for the military leadership of our armed services and an ability to communicate and work with them in a constructive way to address the problems which the Congress identifies as needing action and which the Congress funds. In my meetings with the staff of the Assistant Secretary's office and with the military leadership of the Corps of Engineers, I am impressed with the people with whom, with your confirmation, I will be asked to work. I am convinced that I will be able to quickly develop a level of trust and respect with all of that leadership, both military and civilian, that will lead to a hard-working and effective team.

I recognize going into this position that I am short on engineering background, but long on other attributes that will more than make up for that deficiency. Furthermore, having full confidence in the technical expertise of the military and civilian leadership of the Corps to provide me with what I lack in technical background, I have no concern about that shortcoming.

My background is ample testimony to the fact that I bring to this position effective leadership skills, maturity, a good dose of common sense, a dedication to fiscal responsibility, a sense of reasonableness and fair play, a great capacity for hard work, and an ability to work with bright, hard-working professionals.

I am prepared to undertake the important responsibilities of this post and enthusiastic about the opportunities it presents for me to continue to serve the country which I love.

Chairman THURMOND. There are a series of questions we ask each nominee prior to confirmation that I must ask you. They concern your activities prior to this hearing concerning the Department of Defense.

First, what is your current position, and what association have you had with the Department of Defense since you learned of your possible nomination to be Assistant Secretary of the Army for Civil Works?

Mr. LANCASTER. Mr. Chairman, since April I have been a Special Advisor to the President on the Chemical Weapons Convention, and have been working with senators and their staffs in helping to move that Convention towards ratification. I have not had a relationship with the Department of Defense since the nomination has been under discussion, except for the briefings I have received since the nomination went forward.

Chairman THURMOND. Second, have you adhered to the applicable laws and regulations governing conflicts of interest?

Mr. LANCASTER. I have, indeed, Senator.

Chairman THURMOND. Third, have you made any authoritative decisions or provided authoritative guidance?

Mr. LANCASTER. No, sir, I have not made any decisions nor provided any guidance.

Chairman THURMOND. Fourth, have you assumed any duties or undertaken an actions that would appear to presume the outcome of the confirmation process?

Mr. LANCASTER. No, sir, I have not.

Chairman THURMOND. Now, in the past, the United States Army Corps of Engineers has not been required to meet State quality standards in constructing and operating their water resources projects. Do you believe that the Army Corps of Engineers should be required to meet State water quality standards in constructing and operating Corps projects in order to protect fishery resources?

Mr. LANCASTER. Mr. Chairman, as a former State legislator and as a strong supporter of States rights, I certainly, in this position, would want to be ever-sensitive to State regulations and to State policies with regard to water quality. However, I will be administering a national program, and it is appropriate, of course, for that program to be consistent. So I will, of course, adhere to the laws as set forth by Congress with regard to this matter, but will always be sensitive to and try when possible to harmonize State regulatory policies with Federal policies. But since I am administering a Federal agency, it will be, of course, my responsibility to administer the Federal laws and regulations as they are developed and passed by this body.

Chairman THURMOND. I presume you would not object to the construction and operation of hydroelectric projects, provided that they take steps to protect fish?

Mr. LANCASTER. I do not object, and in fact, that is an important work of the Corps.

Chairman THURMOND. And will you ensure under your administration that all commitments made in the way of mitigation for environmental damage by the Corps, and any other commitments concerning the safeguarding of the environment, are totally and completely fulfilled?

Mr. LANCASTER. I will, Mr. Chairman.

Chairman THURMOND. Will you commit to improve the working relationship between the Corps of Engineers and the various State natural resource agencies?

Mr. LANCASTER. I will, indeed. As I indicated, my State legislative background would make that a high priority with me.

Chairman THURMOND. Will you commit under your administration that you will inspect all current and proposed Corps of Engineers projects to ensure that they further comply with all the environmental laws and that they are being pursued in a manner that does not imprudently spend taxpayers' money?

Mr. LANCASTER. I will, Mr. Chairman.

Chairman THURMOND. Will you also commit that if you find projects where management of those projects indicate money has not been wisely spent that you will conduct an investigation to ensure that money is either replaced or the project is terminated or other prudent action taken?

Mr. LANCASTER. Yes, sir.

Chairman THURMOND. Now, like many Federal agencies, the Corps of Engineers' work role is declining in all areas other than operations and maintenance of their facilities, since most of this work is done by the civilian contractors or civilian employees. What role do you see for the hundreds of military personnel currently working in the districts and divisions?

Mr. LANCASTER. Well, first of all, Mr. Chairman, the Corps of Engineers is a uniformed branch of the Army. And of course, that uni-

formed branch of the Army has important tasks to fulfill, both in times of peace and of war. The important work that the uniformed Corps of Engineers undertakes is, in fact, always preparation for a time of war. So it is important that they always be involved in the leadership of these various projects, and providing the military oversight and the military training opportunities for their officers and other personnel in the conduct of civil works projects which do have an important national security impact when it is time to deploy, but also has the importance of a training opportunity for the personnel of the Corps.

Chairman THURMOND. Recently, a barge containing a small amount of hazardous material sank in Charleston Harbor. While the Charleston district has responded well to the problem, it appears that there was no plan already in place for dealing with the situation. Would you be willing to work with the Coast Guard officials to develop a cooperative response plan similar to the plans for oil spill situations?

Mr. LANCASTER. Yes, sir. In fact, that would be a high priority if such plans are not already in place. I am not familiar, of course, with that particular incident, but that would be something we would want to look into and cooperate fully in developing such a response plan.

Chairman THURMOND. Now, there are a number of lakes throughout this country, and the citizens generally enjoy using those lakes for fishing and swimming and boating and other purposes. I presume you would follow a common-sense program to allow that to continue and let the people enjoy these lakes, and work with them as best you can.

Mr. LANCASTER. Mr. Chairman, I am very pleased to have had the opportunity to use the Strom Thurmond Lake in South Carolina, and I know the great enjoyment that that and other lakes across the country provide to our citizens. It is an important part of the Corps' program, and it certainly would have a high priority with me throughout the tenure of my office in this position.

Chairman THURMOND. I do not have any other questions. I think you are well-qualified to fill this position, and I will be very pleased to support you. We will try to get your nomination out as soon as possible.

Mr. LANCASTER. Thank you very much, Mr. Chairman. I look forward to working with you and the other members of this committee.

Chairman THURMOND. Thank you very much. You are now excused.

Mr. LANCASTER. Thank you.

Chairman THURMOND. The hearing is adjourned.

[Whereupon, at 10:33 a.m., the hearing was adjourned.]

[Prepared questions submitted to H. Martin Lancaster by Senator Thurmond prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

Question. Should you be confirmed as Assistant Secretary of the Army for Civil Works, what would you view as your principal responsibilities to the Secretary of the Army?

Answer. My principal responsibilities to the Secretary of the Army would be the overall supervision of the Army Civil Works Program for conservation and development of the national water resources, as set forth in the Department of Defense Reorganization Act of 1986, Public Law 99433, and in General Orders No. 12, which Secretary West signed on August 30, 1995; program formulation and budget oversight of the Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery; and overseeing the Panama Canal Treaty Implementation Plan.

Question. As Assistant Secretary of the Army for Civil Works, you will have a major role as a senior manager and leader within the Department of the Army. How would you assess your management and leadership skills for this position?

Answer. As my résumé reveals, I have been blessed to have been given many leadership opportunities at the local, state, and Congressional levels, chairing committees, subcommittees, panels, etc. These responsibilities have included working with professional staffs of great ability and with strong personalities. Since I am confident in my own abilities, I am not threatened by persons of superior intellect and ability, but rather enjoy the challenge of working with them to achieve excellent results. My style has always been to surround myself with people of the very highest calibre, make clear to them my expectations of them and the policies which they are to carry out, and give them the necessary authority and leeway to carry out their own responsibilities. I monitor their work to make certain that those guidelines are being adhered to, but do not micromanage. As long as they fulfill the trust I have placed in them, they can expect to work with relatively little interference. However, should they let me down, I can be very firm in dealing with those lapses. I have an incredible capacity for hard work myself and feel that setting an example of hard work is far more effective than driving people to work hard. I expect people who work for me to work hard, but never expect them to work harder than I am willing to work myself.

Question. What, in your view, are the three most pressing problems that you will face and how do you plan to address each one?

Answer. I would say the three are:

- a. Developing a close working relationship with the Congressional Committees of jurisdiction, so that we might together address the policy concerns that fall within the purview of the Assistant Secretary of the Army for Civil Works.
- b. Forming a close working relationship and a real sense of respect and trust between the Assistant Secretary's office and the military leadership of the Corps of Engineers.
- c. Guaranteeing that the Corps of Engineers has the authority and funding to carry out its important responsibilities.

Question. What steps will you take to ensure that protection of the environment is a key component of both the civil works projects undertaken by the Corps of Engineers and the dredging and filling permits issued by the Corps?

Answer. The objective of protecting wetlands and other aquatic resources is always a major factor in the project planning process. The Corps is a leading ecosystem planning and implementation agency. The Corps constantly looks at individual project proposals to see that they are protecting the environment to the best of its abilities. Compliance with the National Environmental Policy Act and other environmental laws is of critical importance to the Corps. In addition, the Corps works very closely with other agencies such as the Environmental Protection Agency and the U.S. Fish and Wildlife Service in the development of project proposals. In the context of the Corps regulatory program, the President's wetlands plan provides the overall policy roadmap for protecting the environment. This Administration has been unequivocal in its intent to protect wetlands and other aquatic resources. I will ensure that the Corps continues to administer the program in a manner that is fair to the Nation's landowners and effective in protecting its resources.

Question. State your understanding of what the current policy is concerning wetlands. How successful has past civil works policy been concerning wetlands, and how do you think the policy should be changed?

Answer. The current policy is to ensure that the wetlands program is fair and flexible for landowners and effective in protecting wetlands—two goals that the Corps is currently meeting. In 1993, the Clinton Administration announced its policy in a 40-point wetlands plan designed to reform wetlands programs. Part of this plan was the adoption of the goal of "no overall net loss" of wetlands in the short-term, and a goal of actually increasing the Nation's wetland base in the long-term. In this regard, I believe the policy framework is solid. The President's initiatives will serve as a departure point for a productive and vigorous debate.

Question. What actions, such as Federal tax incentives, would you suggest Congress take to make preservation of wetlands more attractive?

Answer. Congress should explicitly recognize the concepts of wetlands mitigation banking and programmatic general permits. These approaches will allow us to better engage the private sector and state and local governments in wetlands protection efforts. In addition, Congress should encourage all levels of government to use comprehensive approaches such as watershed planning; this will allow the Federal government to work closer with states, tribes, and local governments and the communities in identifying areas that should receive the greatest protection. In regard to Federal tax incentives, I understand that this approach has been used at other levels of government and it may have utility at the Federal level. This is, however, an area that would require substantial review by several Departments, including Treasury, and analysis of revenue lost and its overall impact on the deficit.

Question. Historically, the Army was responsible for civil works projects to maintain a navigability of waterways for national security reasons. Do you believe a national security rationale for this involvement still exists?

Whether you believe a national security rationale does or does not exist, why should the Army continue to direct civil works functions for the Federal Government?

Answer. Yes, I believe such a rationale still exists. The Civil Works program supports national security and military readiness. The Civil Works Program maintains a trained and ready team of engineers, scientists, and other technical experts. These personnel are routinely called upon in times of war and disaster and thus, enhance security of this Nation. In addition, they provide technical assistance to countries on every continent enhancing democracy in those countries. The contributions of the Civil Works Program to the national security of this country are significant. Without the work conducted under the Civil Works Program, the expertise needed to respond to emergencies and provide technical assistance to other countries would be significantly reduced. It is for this reason I believe the Army should continue its civil works functions.

Question. Do you believe that the permitting authority for dredging and filling, given the Corps of Engineers under section 404 of the Clean Water Act, should remain with the Corps or be transferred to the Administrator of the Environmental Protection Agency?

Answer. Unequivocally, I believe that at the Federal level the Corps is the best equipped to administer the Section 404 program. In the past 23 years, the Corps has developed extensive expertise in the regulation of aquatic resources and in making decisions that reflect the broad public interest. Currently the Corps has some 1,100 regulatory personnel in over 90 field offices nationwide. Over 70 percent of the professional regulatory staff have degrees in biology, ecology, or other sciences many with advanced degrees. In the past five years the Corps has demonstrated that it can effectively protect the environment and balance the need for reasonable development. Transferring the program to the Environmental Protection Agency (EPA) would result in major disruptions to the public and regulatory personnel. EPA currently has only 180 wetlands personnel in its 10 Regional Offices. Part of the Corps success has been its decentralized structure.

Question. Do you believe that the current exemptions for ongoing farming activities from the dredging and filling permitting requirements provided under section 404(f) of the Clean Water Act should be maintained, expanded, or limited?

Answer. I believe that the current exemptions have served the agriculture and silviculture communities well. In this regard, I would not recommend changes at this time. We will, however, continue to work with the Environmental Protection Agency (EPA) and the U.S. Department of Agriculture to provide clarifying guidance as needed. For example, the Corps and EPA were recently successful in issuing guidance that clarified the silviculture exemption.

Question. The permitting authority for dredging and filling activities given to the Corps of Engineers under the Clean Water Act generates a significant amount of litigation. Do you believe that there is any way that the Corps can reduce the amount of litigation in this area?

Answer. First, I am informed that given the substantial numbers of regulatory actions each year, the program generates relatively little litigation. For example, the Corps deals with over 80,000 regulatory actions each year with approximately 200 cases resulting in litigation. Having said that, I do believe that we can continue to improve the program by educating landowners about the importance of wetlands, elimination of unnecessary regulatory duplication, and making the program more predictable—all objectives of the President's Wetland Plan.

Question. Do you believe that the Corps of Engineers has had sufficient experience with construction of man-made wetlands to assess whether they are an acceptable mitigation measure to compensate for loss of natural wetlands?

Answer. The Corps' knowledge of wetlands mitigation in general has improved substantially in the last 10 years. The Corps has the premier Federal wetlands research program which focuses on understanding better wetlands functions and wetlands restoration. However, there is more to learn. Many created or "man-made" wetlands have not performed the functions anticipated, and many have outright failed. This doesn't mean that we cannot use such mitigation at all. It means that we must do a better job of planning such projects. In fact, there are examples of where such mitigation has been successful in obtaining the desired wetlands functions.

Question. Under what circumstances, if any, are man-made wetlands an acceptable mitigation measure that can fully compensate for the loss of natural wetlands?

Answer. I recognize that all wetlands impacts cannot be avoided and that we must allow some wetlands loss. Therefore, where wetlands impacts cannot be practically avoided, we must look at all compensation options (e.g., creation, restoration, enhancement). Many wetlands restoration projects provide a very acceptable means of compensating for lost wetlands functions. Wetlands restoration, or restoring areas that were formally wetlands, is typically the preferred choice for mitigation since it has the highest potential for success.

Question. The Assistant Secretary of the Army for Civil Works has traditionally been assigned the responsibility to serve as the Secretary of Defense's designee and senior member of the Board of Directors of the Panama Canal Commission.

A. Will you be designated as the Secretary of Defense's designee on the Board of Directors?

B. If you are, will you explain what your responsibilities will be as a member of the Board and as the Secretary's designee?

C. If you are, what do you believe will be the most significant challenges for the Board and the Commission as the end of the century and turnover to the Government of Panama of responsibility for the management, operation and maintenance of the Canal approaches?

Answer. I have no reason to believe that the Secretary of Defense's representative to the Panama Canal Commission Board of Directors, a position which has been held for the past two years by the Under Secretary of the Army, Joe R. Reeder, will change at this time. I am told that Under Secretary Reeder has rendered invaluable service since 1994 as the elected Chairman of that Board, and has built a strong professional relationship with numerous officials involved not only in this country but also at the highest levels of the Government of Panama. As ASA(CW), I will certainly provide any assistance or staff support requested.

Question. This year's authorization bill contains a provision that would make the Panama Canal a government-owned corporation. Do you believe this is appropriate? What advantages/disadvantages do you believe this will create?

Answer. If and until it is decided that I will have some role in respect to the Panama Canal, it would be inappropriate for me to address this in detail. However, the interagency working groups believe these changes to not only be appropriate, but, in the long-term interests of the Canal, essential. The changes will bring benefits in the remaining Panama Canal Treaty period, which runs through December 31, 1999, and will facilitate the long-term success of the Panama Canal after that time.

Question. Since 1942, the structure of the Army Corps of Engineers has virtually gone unchanged. However, over the last several years, we have seen declining resources, aging infrastructure, and changing military mobilization strategies.

In your view, how can the Army Corps of Engineers position itself to provide efficient and effective civil works services and to support military mobilization efforts in the future?

Answer. If the Corps is to position itself to provide efficient and effective services in the future, it must take actions to reduce its overhead and make more use of the private sector. While I believe the Corps needs to maintain a dispersed presence across the Nation, I believe some support functions can and should be consolidated.

Question. Will the current Army Corps of Engineers downsizing initiative (12 percent personnel reduction of the civil works side) be enough to trim overall costs and strategically position the Army Corps of Engineers for the future?

Answer. If projected funding levels are not restored, the amount of funding for new projects will decrease as funding for operation and maintenance of the existing Federal infrastructure increases. Without additional funding, we will be faced with two choices: (a) reduce the level of operation and maintenance of Federal projects to provide for more new construction; or (b) reduce the amount of new construction

to provide for operation and maintenance. In either event, further downsizing will be likely.

Question. In your view, can't the Army Corps of Engineers insulate itself from political pressures associated with cutting jobs at division offices and especially at the "close to home" district offices?

Answer. Not entirely; however, I believe it would be my job to insulate the Corps from those pressures. If the projected workload and workforce reductions come to fruition, all levels of the organization will share in the turbulence associated with those reductions.

Question. In May 1995, the Department of the Army announced its first Army Corps of Engineers restructuring guideline—a plan to reduce the division level workforce by an average of 20 civil works positions per office, or about 200 total positions.

Will the role of division offices change in the policy and technical review process? If so, how will this differ from the current role?

It is my understanding that technical reviews will shift to the district offices with division office oversight. If this is the case, why make the technical review shift at all?

Answer. The Secretary of the Army approved the new technical review process on April 14, 1995, and the new policy review process on October 14, 1995. Both processes are up and running. As I understand the changes, the role of divisions will change in both the new technical and policy review process. The intent of the new process is to eliminate multiple layers of review, thus achieving cost savings and deliver projects in a more timely manner. Further evaluation is ongoing to ensure that these changes result in the intended objectives.

Question. Are you aware of the Corps' plans to further reduce civil works positions to meet the 12 percent personnel reduction goal? If so, will the remaining 3,000 or so civil works positions be eliminated at the district level? Please explain.

Answer. I am aware, in general, of the requirement under the Federal Workforce Restructuring Act, which requires Federal workforce reductions by 1999 of approximately 12 percent in the Civil Works program in the Corps, as well as in other non-defense programs across the Government. I expect future allocations of the Civil Works workforce to be consistent with workload.

Question. Do you believe these reduction goals and plans are sound "business" decisions? Are they adequate in terms of producing overhead savings, increasing customer satisfaction, and matching anticipated workloads?

Answer. Matching workforce to the long-term trend in programs levels is a sound business decision, although one should be cautious of overreacting to short term deviations in the overall trend. Whether or not reductions anticipated under the Federal Workforce Restructuring Act would be sufficient to improve Corps efficiency depends on many factors, including the magnitude and composition of the future workload being carried out.

[Question for the record with answer supplied follows:]

QUESTION SUBMITTED BY SENATOR STROM THURMOND

Senator THURMOND. Will you commit that under your administration that the United States Corps of Engineers will work cooperatively with state and local authorities for the mutual benefit of the citizens of the various states and communities and for the protection of state natural resources?

Mr. LANCASTER. Yes.

[The nomination reference of H. Martin Lancaster follows:]

NOMINATION REFERENCE

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
November 28, 1995.

Ordered, That the following nomination be referred to the Committee on Armed Services:

H. Martin Lancaster, of North Carolina, to be an Assistant Secretary of the Army, vice Nancy Patricia Dorn, resigned.

[The biographical sketch of H. Martin Lancaster, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF H. MARTIN LANCASTER

H. Martin Lancaster is a Special Advisor to the President and the Director of the U.S. Arms Control and Disarmament Agency (ACDA) on the Chemical Weapons Convention. Mr. Lancaster served as a Member of the U.S. House of Representatives from 1987 until January of this year. From that time until his assumption of duties at ACDA, he was a Special Assistant to the Governor of North Carolina, James B. Hunt, Jr., advising and assisting him with federal issues.

Mr. Lancaster was born and raised on a tobacco farm in Wayne County, North Carolina and graduated in 1965 from the University of North Carolina at Chapel Hill. He received his law degree from the Law School of that institution in 1967 and immediately began service as a Judge Advocate in the U.S. Navy. He was assigned briefly to the 12th Naval District in San Francisco, before being assigned as the Staff Judge Advocate for the U.S.S. *Hancock* (CVA-19), then deployed to the Gulf of Tonkin off the coast of Vietnam. After making two cruises to Vietnam, Mr. Lancaster completed his active duty in the Navy at the Naval District Washington. He continued as an active Reservist until his retirement as a Captain in November 1993.

After his release from active duty, Mr. Lancaster returned to his home town of Goldsboro, North Carolina, and entered the private practice of law with a former law school classmate, Philip A. Baddour, Jr., a relationship which continued until his election to Congress. Mr. Lancaster was involved in a number of civic endeavors including serving as Chairman of the North Carolina Arts Council, President of the Community Arts Council and of the Wayne Community Concert Association, Chairman of the Board of Trustees of the Wayne County Public Library and of the Goldsboro/Wayne County Bicentennial Commission.

In 1978 he was elected to the North Carolina House of Representatives where he served until his election to Congress. In his second term, he chaired the Committee on Highway Safety and in his third and fourth terms chaired the Judiciary Committee. During his last two terms he was rated by the North Carolina Center for Public Policy Research as the fifth most effective member of the House of Representatives.

While in Congress, Mr. Lancaster served on the Armed Services Committee, the Small Business Committee, and the Merchant Marine and Fisheries Committee. On the Armed Services Committee he chaired the Morale, Welfare, and Recreation Panel, the panel with jurisdiction over all quality-of-life issues.

In 1989, Speaker of the House Tom Foley appointed Mr. Lancaster as the House Observer to the Chemical Weapons Negotiations in Geneva, an appointment which Mr. Lancaster undertook with significant enthusiasm. He was a frequent visitor to Geneva, met often with participants to the talks as they would be in Washington, wrote and spoke frequently on the issue, and established himself as a person of significant knowledge and influence on the subject.

Mr. Lancaster is married to the former Alice Matheny and they have two children, Ashley and Mary.

[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by H. Martin Lancaster in connection with his nomination follows:]

UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)

H. Martin Lancaster.

2. **Position to which nominated:**

Assistant Secretary of the Army (Civil Works).

3. **Date of nomination:**

November 28, 1995.

4. **Address:** (List current place of residence and office addresses.)

[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**

March 24, 1943; Wayne County, NC.

6. **Marital Status:** (Include maiden name of wife or husband's name.)

Married to Alice Matheny Lancaster.

7. **Names and ages of children:**

Ashley Elizabeth Lancaster, 18; Mary Martin Lancaster, 17.

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Pikeville School, 1949-1961—Diploma.

University of North Carolina, Chapel Hill, 1961-1965—AB

University of North Carolina, Law School, 1964-1967—JD

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.

U.S. Navy (JAG Corps) 1967-1970.

Baddour, Lancaster, Parker, and Hine, P.A. (law firm) 1970-1987.

North Carolina House of Representatives (member) 1979-1987.

U.S. House of Representatives (member) 1987-1995.

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

(See Biography).

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Mason

York Rite Mason

Scottish Rite Mason

North Carolina Bar Association
 American Bar Association
 Elks Lodge

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

North Carolina House of Representatives.

U.S. House of Representatives.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Same.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

2-27-1991	Shelton Warren for Senate	\$100
5-23-1991	Pine Needles Network PAC	100
9-15-1991	Barnes for Attorney General	250
3-26-1992	Baddour for NC House	100
5-28-1992	Lacy Thornburg Campaign	100
6-11-1992	Friends of Staggers for Congress	100
9-18-1992	Women for Sanford	100
6-30-1992	Pine Needles Network PAC	100
1-01-1993	Presidential Inaugural Committee	350
1-08-1993	North Carolina Democratic Party	350
8-05-1994	Baddour for North Carolina House	250
9-02-1994	Thompson for the Court	100
6-16-1994	Brantley for Clerk	100
6-18-1994	Jones for Congress	100
2-28-1994	Patterson for Lt. Gov.	200
1-13-1994	Morris for North Carolina House	100

14. Honors and Awards: List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

(See Biography).

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

Speeches I made at conferences, meetings, or on the floor may have been published, but I do not know when or by whom. I did author the attached forward to a book [retained in the committee's executive files].

16. Speeches: Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

All hard copies except the one attached are now in possession of the University of North Carolina Library and unindexed [retained in the committee's executive files]. Obtaining copies would be next to impossible.

18. Commitment to testify before Senate committees: Do you agree, if confirmed, to appear and testify before any duly constituted committee of the Senate?
 Yes.

[The nominee responded to the questions in Parts B-F of the committee questionnaire. The text of the questionnaire is set forth in the Appendix to this volume. The nominee's answers to Parts B-F are contained in the committee's executive files.]

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

H. MARTIN LANCASTER.

This 28th day of November, 1995.

[The nomination of H. Martin Lancaster was reported to the Senate by Senator Strom Thurmond on January 26, 1996, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on January 26, 1996.]

APPENDIX

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

(202) 224-3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearing and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
2. **Position to which nominated:**
3. **Date of nomination:**
4. **Address:** (List current place of residence and office addresses.)
5. **Date and place of birth:**
6. **Marital Status:** (Include maiden name of wife or husband's name.)
7. **Names and ages of children:**
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$100 or more for the past 5 years.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

17. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through F will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all business connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

5. Is your spouse employed and, if so, where?

6. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.
2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.
3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.
4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.
5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)
6. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any legal impediments to your serving in this position?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.
2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.
3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.
4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?
5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.
2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

PART F—FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents.

1. Describe the terms of any beneficial trust or blind trust of which you, your spouse, or your dependents may be a beneficiary. In the case of a blind trust, provide the name of the trustee(s) and a copy of the trust agreement.

2. Provide a description of any fiduciary responsibility or power of attorney which you hold for or on behalf of any other person.

3. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers.

4. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain.

5. Have your taxes always been paid on time?

6. Were all your taxes, Federal, State, and local, current (filed and paid) as of the date of your nomination?

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

8. Have any tax liens, either Federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

(The committee may require that copies of your Federal income tax returns be provided to the committee. These documents will be made available only to Senators and the staff designated by the Chairman. They will not be available for public inspection.)

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 19_____.

COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL
AND FINANCIAL INFORMATION REQUESTED OF CERTAIN SENIOR
MILITARY NOMINEES

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR-228

Washington, DC 20510-6050

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF
NOMINEES FOR CERTAIN SENIOR MILITARY POSITIONS

INSTRUCTIONS TO THE NOMINEE:

Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A-9, B-4) to which the continuation of your answer applies.

If you have completed this form in connection with a prior military nomination, you may use the following procedure in lieu of submitting a new form. In your letter to the Chairman, add the following paragraph to the end:

"I hereby incorporate by reference the information and commitments contained in the Senate Armed Services Committee form 'Biographical and Financial Information Requested of Nominees for Certain Senior Military Positions,' submitted to the Committee on [insert date of your prior form]. I agree that all such commitments apply to the position to which I have been nominated and that all such information is current except as follows: . . ." [If any information on your prior form needs to be updated, please cite the part of the form and the question number and set forth the updated information in your letter to the Chairman.]

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the hearings and will also be published in any hearing record as well as made available to the public.

1. **Name:** (Include any former names used.)
2. **Position to which nominated:**
3. **Date of nomination:**
4. **Address:** (List current place of residence and office addresses. Also include your office telephone number.)
5. **Date and place of birth:**
6. **Marital Status:** (Include name of husband or wife, including wife's maiden name.)
7. **Names and ages of children:**
8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the Committee by the Executive Branch.

9. Business relationships: List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, firm, partnership, or other business enterprise, educational or other institution.

10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

11. Honors and Awards: List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the Committee by the Executive Branch.

12. Commitment to testify before Senate committees: Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?

13. Personal views: Do you agree, when asked before any duly constituted committee of the Congress, to give your personal views, even if those views differ from the Administration in power?

COMMITTEE ON ARMED SERVICES FORM

FINANCIAL AND OTHER INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Information furnished in Parts B through E will be retained in the committee's executive files and will not be made available to the public unless specifically directed by the committee.

Name:

PART B—FUTURE EMPLOYMENT RELATIONSHIPS

1. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your military service. If so, explain.

2. Has anybody made a commitment to employ your services in any capacity after you leave military service?

PART C—POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

5. Do you agree to provide to the committee any written opinions provided by the General Counsel of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

6. Is your spouse employed and, if so, where?

PART D—LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or litigation? If so, provide details.

4. Have you ever been convicted (including a plea of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

5. Please advise the committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

PART E—FOREIGN AFFILIATIONS

1. Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

2. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

3. During the past 10 years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

4. Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

SIGNATURE AND DATE

I hereby state that I have read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

_____.

This _____ day of _____, 19_____.



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